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► Ship to Shore Rights South East Asia

Gender equality and women's
empowerment strategy



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Kristy Milward



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► Foreword

Employment in the fishing and seafood processing sectors in South-East Asia is highly gendered. Women workers are particularly concentrated in seafood processing factories, pier and home-based work, while men are predominantly employed on-board fishing vessels. The gender segregation of these workers has important implications as it often holds particularly negative consequences for the working conditions of women within the industry.

At the same time, the all-male workforce typically used to crew fishing vessels can also be problematic. The highly masculine work environment on-board means that workers often take greater physical risks to earn more money, contributing to a high incidence of workplace injuries. In addition, restrictive gender norms can limit the willingness of male fishers to identify themselves as having experienced exploitation and abuse, as well as to seek assistance when required.

To date, much of the attention paid to addressing exploitative working conditions has focused on men migrants working on fishing vessels and women in larger export-oriented seafood processing factories. However, migrant workers in pier-based and home-based labour also encounter extremely poor labour standards. Women are more likely to be engaged in these precarious forms of work, where few labour and social protections are in place and wages are low due to informality. Their jobs are typically classified as self-employment to avoid the statutory obligations due to employees, creating a significant and largely unregulated shadow industry.

The Gender Equality and Women's Empowerment Strategy lays out a clear and concrete approach for the Ship to Shore Rights South East Asia programme and its partners to respond to these sectoral challenges. It provides a robust gender analysis of the fishing and seafood processing sectors, highlighting how the issues of labour migration, informality and gender intersect to entrench inequalities and exacerbate decent work deficits.

The strategy calls for an ambitious and transformative approach, integrating gender mainstreaming across all types of programme activity, while simultaneously implementing specific activities focused on empowerment of women and LGBTQI+ persons. The vision is to work with a broad range of stakeholders to make gender inequality fully visible and then employ strategies that expand the scope of labour and social protections, end discriminatory practices and empower marginalised groups in order to ameliorate the gaps in working conditions.

This strategy reflects the commitments made by the International Labour Organization (ILO) to gender equality and women's empowerment, which are critical elements in achieving decent work for all. Under the framework of the Ship to Shore Rights South East Asia Programme, the ILO is working closely with tripartite stakeholders and civil society to fulfil these commitments, ensuring that women and men migrant workers in the fishing and seafood processing sectors are able to fully realize their labour rights.



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► Acronyms and abbreviations

ASEAN	Association of Southeast Asian Nations
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CSO	civil society organization
CSO Coalition	Civil Society Organization Coalition for Ethical and Sustainable Seafood
DAC	Development Assistance Committee (OECD)
EU	European Union
FGD	focus group discussion
ILO	International Labour Organization
ILRF	International Labor Rights Forum
IOM	International Organization for Migration
KII	key informant interview
LGBTQI+	lesbian, gay, bisexual, transgender, queer, intersex and others
MAP Foundation	Foundation for the Health and Knowledge of Ethnic Labour
NV	Nationality Verification (Thailand)
OECD	Organisation for Economic Co-operation and Development
S2SR	Ship to Shore Rights South East Asia
TRIANGLE II	Tripartite Action to Enhance the Contribution of Labour Migration to Growth and Development (ILO)
UN	United Nations
UN-ACT	United Nations Action for Cooperation against Trafficking in Persons
UNDESA	United Nations Department of Economic and Social Affairs
UNDP	United Nations Development Programme
USAID	United States Agency for International Development



► Executive summary

Introduction

Women make up almost half (49.5 per cent) of the 23.5 million ASEAN region's migrants as of 2020 (UNDESA). They have long played a critical role as household breadwinners and in contributing to the economic and social development of both countries of origin and destination within the region. However, women migrant workers remain overwhelmingly segregated in lower-paid and informal sectors of work. Women also face greater challenges than men in accessing safe and regular migration opportunities with South-East Asia as the sectors where they work are often excluded from labour mobility systems in law or in practice. The absence of substantive measures to address the gender gap in decent work opportunities for women migrants reveals that their contribution as workers within the region remains significantly undervalued (Saibouyay et al. 2019).

Labour migration patterns into the fishing and seafood processing sectors in South-East Asia are highly gendered and include specific decent work deficits faced by women and men. Migrant women comprise the majority of workers in seafood processing largely because employers believe they are better suited for this type of work. Women are assumed to have "nimble fingers", making them effective as workers in detailed manual labour jobs. In addition, some employers consider women migrants to be more obedient and easier to control than men in factory settings (Oishi 2005). However, the application of gendered stereotypes holds negative consequences for the working conditions of women migrants within the industry, including a lack of formalization, unequal pay, violence and harassment, and gaps in maternity protection. Discriminatory employment practices in seafood processing factories based upon gender intersect with and further compound the unequal treatment that migrant women experience as foreign workers in destination countries.

While much of the attention to exploitative working conditions has focused on men migrants working on-board fishing vessels and women in larger seafood processing factories, labour performed by pier-based workers, in shrimp peeling sheds and by home-based workers is also a substantial and problematic portion of the seafood industry. Recent ILO research in Thailand revealed that home-based workers and pier-based workers are engaged in informal employment loading/unloading vessels and vehicles, as well as in primary processing of fish and seafood. Women are more likely to be engaged in such precarious work, where few labour protection and social protections apply, wages are often low and irregular, and the majority of migrants are unable to regularize their legal status (ILO 2020). Operating in the shadows of the fishing industry, these jobs are typically classified as self-employment to avoid the statutory obligations due to employees. Although limited research is available, it is also recognized that a significant sex industry exists in a number of fishing ports, largely to provide services to workers in the fisheries sector. Women migrant sex workers in these areas generally work under precarious conditions, holding irregular legal status and facing frequent harassment and arrest by police (Fujita et al. 2010).

Onshore and offshore fishing vessels are almost entirely crewed by men, a large portion of whom are migrant workers due to the reluctance of nationals to take up fishing work in the more developed countries of South-East Asia. Work in commercial fishing has traditionally been viewed within the region as unsuitable for women, as it involves physically demanding duties, long and unpredictable work hours, hazardous work environments and difficult living conditions. Cultural superstitions holding women to be "unlucky" on-board fishing vessels also remain in some quarters.

The all-male workforce contributes to the high incidence of workplace injuries within the fishing sector, as social norms requiring men to take greater physical risks at work exacerbate the inherent danger of

work on a fishing vessel. In addition, the nature of employment in fishing means that fishers live and work on-board fishing vessels for extended periods of time and under isolated conditions at sea, far from sources of assistance should problems occur. These enabling factors, combined with ever-increasing market pressures to lower labour costs and declining global fish stocks, has led to well-documented problems with labour abuses against migrant men, extending to situations of forced labour and physical violence in the most severe cases (Chantavanich et al. 2014).

The highly masculine working environment on-board fishing vessels can also restrict the willingness of fishers to identify themselves as having experienced abuses and to seek assistance. For example, a large portion of the cases of forced labour identified among men migrant workers on fishing vessels involve withholding of wages to limit the mobility of workers (Chantavanich et al. 2014). Men migrants are often unwilling to risk the loss of these wages, which are needed to support their families in countries of origin, even if it means enduring protracted periods of abusive treatment. Because societal definitions of male success heavily emphasize their ability to provide for their families, many migrant men have reported feeling unable to leave exploitative situations if it means returning home empty-handed and being viewed as a failure in their communities (Surtees 2008).

Approach to strategy development

This document sets out the Gender Equality and Women's Empowerment Strategy for the Ship to Shore Rights South East Asia (S2SR) programme, an initiative of the European Union (EU) and the United Nations (UN) that is implemented by the ILO in collaboration with the International Organization for Migration (IOM) and the United Nations Development Programme (UNDP). The overall purpose of this strategy is to optimize how the programme promotes and advances gender equality, while carrying out activities in the pursuit of the programme's three objectives. To this end, it offers guidance on how to take opportunities to contribute to gender equality in the course of advancing its objectives to strengthen labour standards, protect rights and empower women and men migrant workers in the fisheries and seafood processing sectors in the region.

The strategy is based on a gender analysis of the fishing and seafood processing sectors and sets out a vision, framework and guidelines for embedding the approach during implementation. These are intended to facilitate a process in which at each step the choices and decisions about how to achieve objectives are made with the pursuit of gender equality as a central aim. The strategy is intended to be used by regional and national staff of the S2SR programme, implementing partners, the European Union, and other tripartite plus constituents in the seven target countries. Further, it contributes knowledge to other UN and international organizations working on issues of labour migration and human trafficking in the fishing seafood processing sectors. The assignment to develop the strategy followed a three-step process. First, research was conducted to provide a gender analysis of the key challenges and opportunities for safe and regular migration into decent work for women and men in the fishing and seafood processing sectors in the region. Second, this research together with detailed information about the planned S2SR programme was used as a foundation for developing a practical gender equality and women's empowerment strategy. Third, meetings were carried out to socialize this gender equality and women's empowerment strategy with the staff and key stakeholders of the S2SR programme.

Key findings of the gender analysis

Gender and labour migration in South-East Asia: Women in the region migrate to support their families and to contribute to their economies in equal numbers as men, but they have been less supported than men in these efforts and at times they have been actively hampered. Social norms in many of these countries valorize women's roles in home-keeping and taking care of the family. Where this outlook is prevalent, women who prioritize work sufficiently to migrate for it, at the expense of this home-keeping role, can become the subject of social disapproval. These disempowering societal pressures are in some cases compounded by legal restrictions, such as laws preventing women from going abroad for certain types of work deemed inappropriate or because they are below a certain age. Establishing these formal or informal barriers to migration does not remove the factors that push women to seek work overseas;

so when barriers are present, more women have no choice but to migrate through irregular channels into the informal economy.

Gender and the fishing and seafood processing sector: Tasks in the fishing and seafood processing sectors are strongly gender-segregated, with women concentrated in seafood processing factories and, especially, in the informal pier-based pre-processing work, and men predominantly on-board fishing boats. Women almost never work as fishers on the vessels, which is where most policy attention and regulation has focused. This means that reaching women as part of a gender strategy involves strong attention to where women are positioned: in seafood processing generally, and particularly in the informal parts of this sector. It also requires questioning traditional cultural beliefs that the significant occupational safety and health risks of work on-board fishing vessels are acceptable for men but not for women, rather than intervening to make them safe for workers regardless of their gender.

Gender and seafood processing factories: Women migrant workers constitute the majority of workers in seafood processing factories. While conditions have improved in recent years at least in larger export-oriented factories, there are clear areas in which there is both room for improvement in general and on gender inequality specifically:

- Few women are in contact or engaged with workers' organizations representing their interests.
- (Migrant) women are severely underrepresented in factory supervisory or management and also in the leadership of the few workers' organizations and worker welfare committees.
- Discrimination against pregnant women is prevalent, and although maternity protection now exists in some larger factories, it is not widely available in the sector and awareness among women workers is low.
- Low levels of reporting of abuses normally affecting women, such as sexual harassment, suggest that reporting mechanisms and/or levels of recognition of this as warranting complaint could be improved.
- Women factory workers earned on average 13 per cent less than men factory workers. In addition, gender segregation enhances pay gaps: factory workers (mainly women) earned on average 26 per cent less than fishers, who are exclusively men (CSO Coalition 2021).

Gender and pier-based and home-based informal workers: Most work in the substantial informal sub-sector of seafood processing is performed by women, but this has received the least attention. Work is precarious in this sector: few labour or social protections apply; wages are often low and irregular, and the gender wage gap is larger than in other parts of the sector. Even when informal workers have paid into voluntary social protection schemes and believe they should be eligible for benefits, often they are not able to access them, and access to other services often depends on a Thai intermediary.

Fully legal status is virtually impossible to maintain as documentation ties migrants to one employer, but in this sector few employers are able to guarantee full-time work. The sector does, however, offer some flexibility, making it possible for women to balance paid work and unpaid care work and domestic responsibilities. Young children commonly accompany mothers to the workplace, sometimes with some group-based childcare arrangements by co-workers or, occasionally, employers. Women often have little option but to accept the trade-offs required in terms of working conditions and benefits in the informal sector, as there are few other options available for childcare services.

Gender and the fishing sector: It is very likely, but little documented, that strong cultures of masculinity on board fishing vessels, combined with strong pressure on men to fulfil breadwinner roles, contribute to high-risk workplaces and a lack of reporting of abuses. In these all-male work environments, social norms requiring men to take greater physical risks at work exacerbate the inherent danger of work on a fishing vessel. These combine with structural features of the sector that can exacerbate risky behaviour – for example, it is common for workers to be paid by a share of the catch, making everyone invested in higher catch volume, which may encourage excessive working hours, among other behaviours.

Gender and LGBTQI+ migrant workers: Little has been documented on the involvement of LGBTQI+ migrant workers in the fishing or seafood processing sectors. For other sectors, work is strongly segregated, particularly for transgender people, but in general there is little recognition of these groups, likely due in part to a downplaying of their gender/sexuality status in the face of discrimination. At the same time, recent research suggests that some LGBTQI+ migrants within the region go abroad at least partially in search of greater personal freedoms to express their sexual orientations and gender identities than they experience at home (ILO, forthcoming).

Gender and sex work: Women form the majority – and migrant women a significant sub-set – of those working in the sex industry, which in port areas operates in symbiosis with the fishing industry. Little is documented about the particular conditions of work and risks to migrant workers in this sub-sector. Research in the wider sex industry suggests that the vast majority of people working in the Thai industry are not coerced or forced, and wages in the sector are higher than in many other sectors, but workers are subject to specific risks to their health and of violence, and also of detention due to the association of the sector with trafficking (ILO, unpublished; Empower Foundation 2012).

Strategic approach

This strategy reflects the twin-track route to integrating a gender approach:

- **Track 1:** Gender equality mainstreaming – This means integrating a gender transformative approach into all types of programme activity, so that gender equality is promoted at all opportunities, even where this is not the main objective of the activity.
- **Track 2:** A focus on women’s empowerment and LGBTQI+ persons – This means including some activities which specifically address empowerment of women and LGBTQI+ persons as the main objective.

This twin-track approach means there are two dimensions to actioning the strategy. The first is to scrutinize the framing of the programme’s activities to identify how women, LGBTQI+ persons and

The strategic vision

Ship to Shore Rights South East Asia will work with women and men stakeholders to make gender inequality visible and to reset it through a gender transformative approach. It will employ the following specific strategies:

- 1. Focus on the informal sector** (in pier work and smaller factories).
- 2. End discriminatory practices towards women and LGBTQI+ persons:** hiring practices, gender pay gaps, routine pregnancy testing and unfair dismissals.
- 3. Support women’s reproductive roles** through maternity protection, childcare provision and promoting flexible, parent-friendly work arrangements in the formal sector.
- 4. Organize women migrant workers** into trade unions and worker associations.
- 5. Ensure women-friendly grievance mechanisms**, including in relation to violence and harassment.
- 6. Generate new knowledge on gender**, including through research on gender structures affecting men and masculinities, particularly where they may lead to harm.
- 7. Facilitate women’s leadership** in worker organizations, stakeholder management structures and consultation processes.

their interests can be more clearly reached and centralized as core objectives. The second dimension, once activities have been identified and planned, is to identify ways to maximize the gender equality opportunity in each of them.

This strategy takes an inclusive approach to gender issues. While it focuses on women and the widespread inequality they face, the strategy is clear that gender equality means equity and non-discrimination outcomes for all migrant workers, regardless of gender. While not all project country stakeholders are currently able to include LGBTQI+ issues in their work, the S2SR programme will work with all parties where possible to ensure LGBTQI+ migrant workers' rights are recognized and protected.

Within the full strategy, a set of specific recommended activities to support gender equality and women's empowerment have been provided under the three S2SR programme objectives. These represent a menu of options from which the programme can draw in developing its annual work plans with tripartite plus constituents in each target country and at the regional level. In addition, cross-cutting measures to increase women's participation and leadership in discussion and decision-making processes are offered, which can be included throughout the programme interventions.

Recommended changes to programme management tools

Based upon a review of the drafts developed to date, S2SR programme tools have thoroughly mainstreamed gender concerns in most respects. However, they can be strengthened further to tighten their attention to gender inequality and to ensure that this is well-integrated into all parts of the programme framework.

The theory of change incorporates a strong gender equality and women's empowerment component at all result levels and as a cross-cutting strategy. However, it currently does not mention women and men separately in all outputs. Stating these separately serves as a reminder that the situations of women and men are often different and therefore need to be considered separately.

The evaluation criteria listed in the S2SR monitoring and evaluation plan include gender equality and women's empowerment as key criteria and as an evaluation question. However, this framework could be strengthened with the inclusion of more gender-specific language. It is recommended that the mid-term evaluation of the programme include a brief review of the implementation of the Gender Equality and Women's Empowerment Strategy.

The performance framework could be improved by more clearly including analysis of and response to gender inequality. Indicators developed for S2SR are stated as reflecting the principle of gender disaggregation for "vulnerable and marginalized groups within the migrant population. In particular, all data will continue to be analysed by gender but also by sector, legal status, ethnicity and other groupings where appropriate." However, clearer and more frequent specification of "women and men" as target groups and the subjects of indicators would increase attention to gender disaggregation at all stages and the need to target women in particular in some activities.

As already planned, the monitoring and evaluation training should explicitly include support and guidance to implementing partners on the collection and analysis of sex-disaggregated data to improve the gender-responsiveness of their activities.

As specified in the monitoring and evaluation plan, it is recommended that gender budgeting should be applied to allocate sufficient resources to activities related to gender equality and women's empowerment. However, it is recommended that the minimum proportion allocated in this way should be raised from 20 per cent to 25 per cent. Activities falling under the gender budget category should be reported as a costed list in each S2SR annual report, giving the total gender spend as a proportion of the overall spend.

The planning processes outlined are founded on reviews of the previous year's progress – such as annual reflection retreats and annual reporting, both of which include provisions for gender-specific focus and

assessment. On the basis of this combined assessment of progress on gender equality issues, the annual work planning process should take explicit action to include further progression of the gender equality approaches specified in this strategy. A six-member gender taskforce within the S2SR team should be established to focus on the implementation of this strategy, meeting on a quarterly basis. The taskforce should be enabled to supply gender-related information where required, support national programme coordinators in keeping gender issues and responses on the programme agenda, and liaise across the programme on gender issues. An Administrative and Finance Assistant should be included in the taskforce to support gender budgeting.



1. Introduction

This document sets out a Gender Equality and Women’s Empowerment Strategy for the Ship to Shore Rights South East Asia (S2SR) programme. The purpose of this strategy is to optimize the extent to which the programme can promote and advance gender equality through carrying out activities in pursuit of its objectives. The strategy outlines an overall vision, framework of interventions and programme management tools so that at each step the decisions made about how to achieve those objectives support gender equality and women’s empowerment as central aims.

► 1.1 Programme background

S2SR is a multi-country, multi-year programme on labour migration, with a budget of €10 million. It is focused on migration in the fishing and seafood processing sectors in the South-East Asia region, supporting programming in seven countries: Thailand, Cambodia, Myanmar, the Lao People’s Democratic Republic, Indonesia, the Philippines and Viet Nam. It is an initiative of the European Union (EU) and the United Nations (UN) and is implemented by the International Labour Organization (ILO) in collaboration with the International Organization for Migration (IOM) and the United Nations Development Programme (UNDP). The programme is running from August 2020 to July 2024, and is currently in its inception phase. This follows on from a “Phase 1” programme, Ship to Shore Rights (2016–20) implemented by the ILO in Thailand.

The S2SR programme delivers technical assistance and support, with the overall objective of promoting regular and safe labour migration among South-East Asian countries. It will address the specific characteristics of work in the fishing and seafood processing sectors, as well as the barriers and risks present in the labour mobility system, which can lead to unsafe migration, decent work deficits, labour rights abuses and forced labour. It engages with current, potential and returning migrant workers in fishing and seafood processing sectors, as well as their families and communities. The programme works with government authorities, workers’ organizations, employers and recruitment agencies, civil society organizations and community-based organizations to achieve three inter-linked specific objectives:

1. Strengthen the legal, policy, and regulatory frameworks related to labour migration and labour standards, focusing on the fishing and seafood processing sectors in South-East Asia.
2. Protect labour rights and promote safe and secure working environments for all migrant workers from recruitment to post-admissions and end of the contract.
3. Empower migrant workers, their families, organizations, and communities to promote and exercise their rights.

The overall programme strategy incorporates the following cross-cutting issues: workers’ voice and agency, rights-based approach, broad engagement of stakeholders, trafficking in persons and other transnational crimes, marine resources conservation and sustainability, and gender equality and women’s empowerment. To guide the implementation of the programme, this document outlines the S2SR strategy for comprehensively mainstreaming gender into its interventions.

► 1.2 ILO and EU commitments to gender equality

The ILO and gender equality

This strategy reflects the prior commitments made by the ILO to gender equality and women's empowerment, aiming to help support their realization. The ILO considers gender equality to be a critical element in achieving decent work. It has been mainstreamed under all four of the ILO's strategic areas:

1. Promoting and realizing standards and fundamental principles and rights at work;
2. Creating greater opportunities for men and women to secure decent employment and income;
3. enhancing the coverage and effectiveness of social protection for all; and
4. Strengthening tripartism and social dialogue.

The ILO's mandate to promote gender equality in the world of work is enshrined in its Constitution and reflected in relevant international labour standards. As part of its normative function, the ILO promotes ratification and implementation of four key Conventions on gender equality:

1. Equal Remuneration Convention, 1951 (No. 100);
2. Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
3. Workers with Family Responsibilities Convention, 1981 (No. 156); and
4. Maternity Protection Convention, 2000 (No. 183).

Both Conventions Nos 100 and 111 are considered part of the eight fundamental ILO Conventions and are embedded in the ILO Declaration on Fundamental Principles and Rights at Work. In addition, the Violence and Harassment Convention (No. 190) and Recommendation (No. 206), 2019, were adopted to eliminate violence and harassment within the world of work, with a particular focus on abuses related to sex and gender. The ILO also recently developed a set of 12 practical tools in the Gender Mainstreaming Strategies Toolkit to facilitate the implementation of gender strategies in organizations, policies, programmes and projects.

The ILO's gender equality mandate is also set by an array of international instruments advancing equality between women and men. Among others, these include the UN Charter, numerous resolutions of the UN General Assembly, the 1997 UN Economic and Social Council's Agreed Conclusions on gender mainstreaming, the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), and the 1995 Beijing Platform for Action and its follow-up.

Gender equality is not only inherent to the ILO's decent work and fair globalization mandates but is also central to the 2030 Agenda for Sustainable Development. The critical need for advancing gender equality is reflected in all of the Sustainable Development Goals, and particularly in:

- Goal 5: Achieve gender equality and empower all women and girls.
- Target 8.5: By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.
- Target 8.8: Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrant workers, and those in precarious employment.

Migrant-specific United Nations normative frameworks that provide standards for the protection and empowerment of women include the Global Compact on Safe, Orderly and Regular Migration, CEDAW General Recommendation 26, and the International Convention on the Protection of the Rights of All Migrant Workers and their Families. The Global Compact enshrines gender-responsive approaches as a cross-cutting principle for implementation of its 23 commitments.

The current gender strategy therefore aims to enable the ILO to maximize its ability and opportunities to fulfil this mandate and actualize these commitments through its work under the S2SR programme. The ILO has previously developed gender strategies for other migration programmes in the region, notably the 2016 Women’s Empowerment and Gender Equality Strategy created for the Tripartite Action to Enhance the Contribution of Labour Migration to Growth and Development (TRIANGLE II) project. The development of this strategy has drawn on the experience and evolution of the TRIANGLE II strategy and the ILO-UN Women Safe and Fair programme (ILO 2016).

The EU and gender equality

The EU has recently developed a robust strategy for supporting gender equality through its external programmes (European Commission 2020). The Gender Action Plan III promotes programme action guided by three principles: (1) take a gender transformative approach; (2) address intersectionality of gender with other forms of discrimination; and (3) follow an approach based on human rights.

The Gender Action Plan III commits to at least 85 per cent of new external actions having gender equality and women’s and girls’ empowerment as a significant or a principal objective by 2025.¹ Minimum standards for the design of all EU-funded programmes include:

- Conducting and using updated gender analyses to inform decision-making on future action and integrating these into all relevant dialogues, policies, strategies, programmes and operations;
- Applying gender-sensitive and sex-disaggregated indicators and statistics to monitoring and evaluation; and
- Giving robust reasons, based on the findings of the gender analysis, to substantiate any action deemed not to contribute to gender equality.

This strategy reflects these commitments at the first level by placing gender equality and women’s empowerment as a significant objective, as reflected in this Strategy. According to the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development (OECD), minimum criteria for classification as “significant” are:

- A gender analysis of the project/programme has been conducted.
- Findings from this gender analysis have informed the design of the project/programme and the intervention adopts a “do no harm” approach.
- Presence of at least one explicit gender equality objective backed by at least one gender-specific indicator (or a firm commitment to do this if the results framework has not been elaborated at the time of marking the project).
- Data and indicators are disaggregated by sex where applicable.
- Commitment to monitor and report on the gender equality results achieved by the project in the evaluation phase (GenderNet 2016).

¹ GAP III applies the DAC gender equality scoring system. “Significant” (marked “1”) means that gender equality is an important objective, but not the principal reason for undertaking the action; while “principal” (marked “2”) means that gender equality is the main objective.

▶ 1.3 Overview of the assignment

The S2SR programme recruited an independent gender specialist to conduct a gender analysis and prepare a Gender Equality and Women's Empowerment Strategy. The assignment was carried out in close consultation with S2SR programme staff, the EU Delegation, implementing partners and other key stakeholders in the fishing and seafood processing sectors.

The assignment followed a three-step process. First, research was conducted to provide a gender analysis of the key challenges and opportunities for safe and regular migration into decent work for women and men in the fishing and seafood processing sectors in the region. Second, this research together with detailed information about the planned S2SR programme was used as a foundation for developing a practical strategy. Third, meetings were carried out to socialize this Gender Equality and Women's Empowerment Strategy with the staff and key stakeholders of the S2SR programme. These were intended to clarify the strategy and discuss how it will be applied, in order to support uptake and implementation.

▶ 1.4 Research methodology

The research process to conduct a gender analysis for the strategy sought two types of information:

1. To understand in more detail the gendered experiences of migrant workers in fishing, seafood processing, pier work and associated employment, particularly in areas where less has been documented.
2. To understand how gender transformative outcomes can be enhanced in the planned activities and processes through examining the contexts, opportunities and capacities in which the S2SR programme will operate.

Data collection for the research took place during August and September 2021 and included interviews with stakeholders in all seven of the S2SR countries, as well as with national and regional programme staff. Despite the constraints of COVID-19-related movement restrictions, efforts were also made to consult migrant workers in Thailand and Myanmar.

Data collection techniques included:

- ▶ A literature review of project documents, documents related to phase 1 of Ship to Shore Rights, and research and analysis of gender and rights issues in the seafood and fisheries sector in the Association of Southeast Asian Nations (ASEAN).
- ▶ Interviews with 50 key stakeholders, including S2SR staff, representatives of government agencies, worker organizations, employer organizations and civil society organizations (CSOs) engaged with labour migration in the seven programme target countries.
- ▶ Online focus group discussions (FGDs) with women and men migrant workers:
 - Four women and one man in Myanmar who had returned from Thailand, where they had been working in the seafood processing sector;
 - Six women migrant workers from Myanmar working in seafood processing factories in Thailand; and

- Three women migrant workers from Myanmar working informally sorting fish on piers in Thailand.

Data from the key informant interviews (KIIs), focus groups and the literature review was analysed separately for the key research questions, taking into consideration the distinctly gendered features of factory-based seafood processing work, pier-based work, and of particular groups such as LGBTQI+ workers and sex workers. The data was triangulated by examining the key findings across the three different information sources and selecting for inclusion those findings supported by more than one source.

► 1.5 Research limitations

Considerable efforts were made to reach out directly to migrant workers in the target sectors for interviews but were hindered by the challenges of arranging remote interviews with these groups during COVID-19. In total, three focus groups with a total of 14 respondents were organized, which must be considered a small sample given the scale of migration occurring in the fishing and seafood processing sectors. In addition, all of the migrant workers interviewed were from Myanmar and had migrated to Thailand. The information collected was therefore weighted towards this population of migrants, while the S2SR programme has a much broader geographic scope covering seven countries within South-East Asia.

The emphasis on the Myanmar–Thailand corridor was mainly due to the location of S2SR CSO partners who were able to get in touch with migrant workers for remote interviews due to their well-established networks. As the first phase of S2SR was focused explicitly on Thailand and its countries of origin, the reach of S2SR partnerships is currently the most extensive in these locations. To help with mitigating this limitation, interviews with key informants and an extensive review of secondary sources were conducted to broaden the scope of the strategy. Nevertheless, the information referenced as being sourced from focus groups should be interpreted with this limitation in mind. Efforts will be made during the implementation of the strategy to expand the scope of the knowledge base on gender issues in the fishing and seafood processing sectors to other programme target countries in South-East Asia.



2. Gender analysis of the fishing and seafood processing sectors

The development of the Gender Equality and Women's Empowerment Strategy for the S2SR programme was grounded in a research study examining the sectoral context of the interventions through a gender lens. This meant studying the different experiences of migrant men and women in the fishing and seafood processing sectors, their different social and economic situations, and how different interventions will potentially be able to reach and impact them. Collection and analysis of this information is intended to make evident to programme stakeholders why responses and activities need to be tailored to those gender differences if they are to reach and enhance the lives of women migrant workers to the same degree that they reach and enhance those of men migrants in the sectors. It also provides the foundation for deciding how this might be done in practice.

► 2.1 Gender and labour migration in South-East Asia

Key message: Women in the region migrate to support their families and contribute to their economies in equal numbers as men but they have been less supported than men in these efforts and at times they have been actively hampered.

Women now make up half (49.5 per cent) of the 23.5 million ASEAN region migrants (UNDESA 2020). They have also long played a critical role as household breadwinners and in contributing to the economic and social development of both countries of origin and destination within the region. Nevertheless, migration governance has at times been focused on a protectionist agenda to control and limit women's migration in order to prevent the extreme forms of abuse associated with trafficking and migration for forced marriage.¹ Laws have been enacted in some South-East Asian countries preventing women from going abroad for certain types of work deemed inappropriate or because the women are below a certain age. This position has at times worked against efforts to support women's migration by improving the conditions of their labour, including safety issues, so that women and men can benefit equally from the opportunities presented by labour migration. It has also played into social norms in some countries in the region which valorize women's roles in home-keeping and taking care of the family. Where this outlook is prevalent, women who prioritize work sufficiently to migrate for it, at the expense of this home-keeping role, can become the subject of social disapproval. However, establishing these formal or informal barriers to regular migration does not remove the factors that push women to seek work overseas. When barriers are present, more women have no choice but to migrate through irregular channels into the informal economy. This makes them more rather than less vulnerable to exploitation.²

¹ See UN-ACT, *Human Trafficking Vulnerabilities in Asia: A Study on Forced Marriage between Cambodia and China*, 2016.

² See, for example, the complex situation explored among women migrant workers from Viet Nam in ILO, *More Choices, More Power: Opportunities for Women's Empowerment in Labour Migration from Viet Nam*, 2019.

► 2.2 Gender and the informal economy

Key message: In general, women are somewhat more likely than men to be working in informal sectors of the economy, and in more vulnerable positions within those sectors.

Globally, the share of women in lower-middle-income countries (which include Viet Nam, the Lao People's Democratic Republic, the Philippines, Myanmar and Cambodia) engaged in informal work is slightly greater than the share of men engaged in informal work. Overall in this income bracket, 84.5 percent of women are in informal employment compared to 83.4 percent of men (ILO 2018a). In Thailand – an upper-middle-income country – this share is approximately equal (Poonsab, Vanek, and Carré 2019). Migrant workers in general are also more commonly in informal employment, and women migrants even more so (Napier-Moore and Sheill 2016). Globally, women in the informal economy are more often found in the most vulnerable situations – as home-based workers, for example – compared to their male counterparts.

► 2.3 Gender as non-binary

Key message: Gender structures are not only about the binary of men and women. They also affect LGBTQI+ people who are disadvantaged because of gender norms that often include norms about sexuality and assume that gender is fixed and unchangeable. These norms do not reflect the experiences of LGBTQI+ persons. Addressing inequality should also take their situations into account.

Historically, the category of gender has been used to analyse the different positions and expectations of men and women in social and economic arrangements, to emphasize how these are unequal, and to understand how these categories deeply affect social and individual behaviour. More recently, it has become more widely recognized that gender structures are not simply binary – about men and women – but also affect LGBTQI+ communities, for whom these simplified groupings of men/women misrepresent their situations in important ways. Therefore, a gender analysis focused on understanding inequality should also take into account how these communities are positioned, in part, by their LGBTQI+ status.

► 2.4 Gender and the fishing and seafood processing sectors

Key message: Tasks in the fishing and seafood processing sectors are strongly gender-segregated, with women concentrated in seafood processing factories, especially in the informal pier-based pre-processing work, and men predominately on-board fishing boats. Women almost never work as fishers on the vessels, which is where most policy attention and regulation has been focused. This means that reaching women as part of a gender strategy involves paying strong attention to where women are positioned: in seafood processing generally, and particularly in the informal parts of this industry. It also requires questioning traditional cultural beliefs that the significant occupational safety and health risks of work on-board fishing vessels are acceptable for men but not for women, rather than intervening to make them safe for workers regardless of their gender.

Labour in the fishing and seafood processing sectors is heavily gendered – meaning that what counts as women’s work and men’s work is quite rigidly defined – and there are few tasks which men and women do in equal numbers. This is clear in domestic industries in the Philippines where almost 80 per cent of those working in canning assembly lines are women. The tasks associated with men and women, respectively, are quite specific (men do weighing, loading, butchering, cold storage and retort operator work; women do classifying, packing, skinning and labelling). Similar patterns, with small variations, exist in the fishing sectors in Myanmar, Lao People’s Democratic Republic and Indonesia (USAID Oceans 2018). Labour migration patterns into these sectors in Thailand broadly mirror this segregation. While men constitute the overwhelming majority of workers associated with the catch on board fishing vessels; women make up a smaller majority in most seafood processing factories, usually with a majority male management and leadership. This gender segregation has outcomes in gendered inequality – notably in pay gaps between women and men – as well as in other working conditions associated with the sectors.

Much of the attention to exploitative working conditions has focused on men migrants working on-board fishing vessels and, to a lesser extent, on women and men in larger seafood processing factories. The focus on men on fishing vessels has been driven in part by a narrative of modern slavery and media attention from the Global North on the working conditions via which seafood arrives on the tables of Western consumers.³ Efforts to improve conditions in this supply chain have included the first phase of the ILO Ship to Shore Rights programme, which saw engagement in Thailand on the regulation of (export-oriented) seafood processing factories, as well as on the fishing sector itself. As a result, some recent improvements in conditions have been noted in both sectors, and particularly in seafood processing factories (ILO 2020; Praxis Labs 2019).

► 2.5 Gender and seafood processing factories

Key message: Women migrant workers constitute the majority of workers in seafood processing factories. While conditions have improved in recent years, at least in larger export-oriented factories, there are four clear areas in which there is both room for improvement in general and in regard to gender inequality specifically. These are:

- Few women are in contact or engaged with worker organizations representing their interests.
- Migrant women are severely underrepresented in factory supervisory or management and also in the leadership of the few workers’ organizations and worker welfare committees.
- Discrimination against pregnant women is prevalent, and although maternity protection now exists in some larger factories, it is not widely available in the sector and awareness among women workers is low (Fair Labor Association 2018).
- Low levels of reporting of abuses normally affecting women in particular, such as sexual harassment, suggest that reporting mechanisms and/or levels of recognition of this as warranting complaint could be improved.

It is also of note that women factory workers earned on average 13 per cent less than men factory workers. In addition, gender segregation enhances pay gaps: factory workers (mainly women) earned on average 26 per cent less than fishers, who are exclusively men (CSO Coalition 2021).

³ See, for example, Melissa Marschke and Peter Vandergeest, “Slavery Scandals: Unpacking Labour Challenges and Policy Responses within the Off-shore Fisheries Sector”, *Marine Policy* 68 (2016), 39–46.

Wages

Recent attention to conditions in and regularization of larger seafood processing factories in Thailand has resulted in some improvements in recent years, but there is evidence of a reversal, especially for women, in the wake of the COVID-19 pandemic. A 2019 survey found most workers reported receiving minimum wage and working hours that comply with Thai labour laws, and by 2020 the majority of workers in larger factories had written contracts (ILO 2020). A 2019 Praxis Labs study and an ILO (2020) end-line survey both report the same fixed rate salary for women and men in larger factories, and some women earn more than some men.⁴ This is in part due to bonuses being paid in larger factories for minor accidents such as skin scraping and cuts when handling knives for fish scaling.⁵ At the same time, wage deductions were much higher in seafood processing factories than on fishing vessels by the time of the end-line survey, therefore affecting women more than men. These deductions were mostly social security deductions, but 16 per cent were for accommodation and 15 per cent were for food, which are not permitted deductions (ILO 2020).

However, a survey conducted during COVID-19 reported that men are paid on average 13 per cent more than women, and among workers in seafood processing factories as well as in informal work on the piers, far more women (80 per cent) than men (38 per cent) reported being paid less than the monthly equivalent of the minimum wage. In general, processing factory workers (mostly women) earn 26 per cent less than those working in fishing (all men), while pre-processing workers (pier-based workers, most of whom are women) earn 31 per cent less. Although written contracts have become more common, they do not generally specify a minimum number of working days per month; so factories have been able to simply furlough employees when there is reduced work (CSO Coalition 2021). Production was slowed or halted during the pandemic, in particular to modify health and safety measures in factories or to comply with restrictions and control zones (Marschke et al. 2021). Studies report that most workers have received no compensation from their employers for the suspension of their work and have received little support from employers in terms of accommodation and food during quarantine periods (Migrant Working Group 2021).

Access to social protection

The ILO (2020) found most Myanmar workers in factories to be enrolled in social security in Thailand, with much lower levels for Cambodians (62 per cent and 25 per cent). In addition, a total of 42 per cent of women workers said maternity leave was available to them. This is corroborated by FGDs conducted during this study: three of six women confirmed that they had in the past been able to access maternity leave/benefits at some level. However, some of this access may have been eroded by the economic stresses associated with COVID-19: in 2021, a survey found only 6 per cent of women surveyed said their employers provided paid maternity leave (CSO Coalition 2021). In general, social security access is strongly linked to the greater formalization of employment in factories, and – in line with this – appears to be more common in bigger factories.

FDG respondents noted that when they were recruited, and again when their migrant worker documentation was updated/renewed, a pregnancy test was a mandatory part of the health check carried out by the seafood factory employer, which also processed the documentation renewal. This pregnancy test was not perceived by the women to put their employment status at risk but rather to be a relevant indicator of eligibility for lighter work duties.⁶ However, this evidence rests within a wider context of reports that workers do (at least on occasion) resign or have work terminated when pregnant.⁷

4 FGD with women migrants in seafood processing work.

5 KII with CSO in Thailand; FGD with women migrants in seafood processing work.

6 Similarly, among non-migrant workers in Philippines, a USAID Oceans (2018) study found women workers who were more than three months pregnant were not permitted to work in the assembly line due to the risk posed by slippery and wet floors.

7 Women interviewed in Thailand's construction sector have reported resigning when pregnant (Napier-Moore and Sheill 2016). The proceedings of an ASEAN meeting on maternity rights document that in Indonesia "[t]here is still persistent gender-based discrimination practice of firing women workers due to marriage, pregnancy and baby delivery" (ASEAN 2013, 56). See also Mekong Migration Network, *Self-Care and Health Care: How Migrant Women in the Greater Mekong Subregion Take Care of Their Health*, 2015. The findings of these reports were also echoed during a KII with a CSO in Thailand.

Other stakeholders note that for workers in the domestic seafood processing industry in Indonesia it is by no means always straightforward for workers to access maternity leave, and that many women cannot get (or do not know about) their permitted two days of menstruation leave each month as set out in article 81 of the Law concerning Manpower (No. 13/2003) (Azwar 2021). Men factory workers are also frequently awarded higher allowances, particularly housing allowances, as they are seen as the main family provider/breadwinner.⁸

Care work

Although there is little direct comment on this in the literature, it is implied that conditions in factories have little flexibility; hours are long and it is frequently assumed that workers will do overtime when necessary. For those with care responsibilities – most likely to be women – inflexibility in hours is a particularly difficult challenge to combining these care responsibilities with paid work, because childcare can involve unpredictable circumstances that require a response. The unpredictability of hours – such as in situations where overtime is required – is particularly difficult to combine with childcare requirements and arrangements.

There is also little discussion in the literature of the reproductive burdens of women working in seafood processing factories. Some studies have noted that there is insufficient understanding of female seafood workers' reproductive burdens and inadequate/non-existent child-care opportunities (Dahlquist 2017). There is an underlying implication that migrant workers are permitted to migrate as workers, but not as parents/mothers with children to care for. Despite this, many women migrant workers do have children with them and have to manage the duties associated with this. Women in the factory workers FGD report very high costs of child day care while they are at work (about 30 per cent of their daily wage), as well as extended working days that include dropping children at school and supervising homework. One noted that almost all her income is spent on childcare and milk powder.⁹ Myanmar women in the returned migrants FGD all described growing up in Thailand and working alongside their mothers (in pier-based work) when they were teenagers.

Worker organizing

CSO stakeholders in Thailand note that there is much to be done with regard to enabling collective bargaining in seafood processing factories in Thailand,¹⁰ but there is only a little evidence disaggregating this situation by gender. The ILO (2020) end-line survey found that male workers were more likely than female ones to have heard of a workers' organization (16 per cent versus 11 per cent), but only 1 per cent of seafood processing workers had contacted a worker organization.¹¹ The report suggests that these differences reflect the larger investments made by workers' organizations and CSOs in fishing and men than in seafood processing and women, but figures for both sectors are relatively low. The low levels generally reflect the fact that migrant workers are legally barred from forming unions of their own and face restrictions in holding leadership positions in existing (Thai) unions, although in principle they can join these. This represents a serious constraint for all migrant workers, many of whom would be keen to organize were this option available (ILRF 2020). Particularly low levels among women are also likely to reflect practical barriers to organizing, especially women's time constraints while balancing care work and domestic responsibilities with their paid work. From other sources, marriage and childbirth are also both reported as challenges to women organizing.¹² Evidence from other parts of Asia suggests

⁸ KII with a Trade Union in Indonesia

⁹ It is reasonable to assume that milk powder costs would be lower if she was able to breastfeed the baby while working.

¹⁰ KII with CSO in Thailand.

¹¹ The term "seafood processing workers" is used to refer to all workers in the fisheries sector who do not work on fishing vessels. Factory workers and pier workers are subsets of these seafood processing workers.

¹² KII with CSO in Thailand.

that worker organizations in which informal sector women workers are strongly engaged are often structurally and operationally adapted to women's particular situations (Kabeer, Sudarshan, and Milward 2013).

Worker Welfare Committees in Thailand are to an extent aimed at allowing for some degree of “worker’s voice” in the absence of unionization options for migrant workers. However, there is some evidence that these committees are often not functional, or not effective at representing workers’ interests. None of the six seafood processing factory FGD respondents in this study had heard of the worker welfare committees which are supposed to exist in each factory. In other countries in the region, the lack of memoranda of understanding (MOUs) or bilateral arrangements between workers’ organizations in migrant origin and destination countries represents a further barrier to organizing.

Management and leadership

Migrant women, in particular, are severely under-represented in management in Thailand’s seafood processing factories. The management of seafood processing factories is almost exclusively Thai. But while there is not much opportunity for progression for either migrant women or men,¹³ the most immediate level of “supervisors” to factory floor workers – often called interpreters – are usually migrants (who speak the workers’ language) and these are most likely to be men. Both the (Thai) supervisor and the (migrant) interpreter are frequently referred to by migrant workers as key figures in their well-being.¹⁴ Interpreters may sometimes also function as a broker and have wider control over groups of women workers beyond the factory, for instance by managing or controlling their rented accommodation as well.¹⁵ The fact that interpreters are rarely women likely makes a difference in both whether and how often complaints, such as for sexual harassment, are taken forwards. Women FGD participants report that one key barrier for them to access this first level of management – that is, becoming a supervisor/interpreter themselves – is literacy in Thai, which is required.¹⁶

Above the interpreter level, the official management level is “all Thai”,¹⁷ with the majority being Thai men. This reflects the broader labour market data from Thailand in 2019, which shows a 31 per cent female share of employment in senior and middle management (World Bank, n.d.). This proportion is relatively high in the region and indeed globally but is still far from gender-equal leadership. Nevertheless, it is an important feature of intersectionality that migrant status may be a strong impediment to gaining management/leadership in the sector and is more closely identified than gender as a source of discrimination of various kinds. Complaints made by women in FGDs often referred to their migrant status as the main reason for discrimination, over and above their gender.¹⁸ From this perspective, it is clear that women migrant workers may have more in common with migrant men workers than with the Thai women (or Thai men) who may be involved in management.

Women’s leadership in worker organizations

Women are also generally under-represented in workers’ organizations globally, although data specific to this sector in South-East Asia is not readily available. In Thailand, women and men migrant workers are not permitted to take leadership roles in trade unions or form their own unions. However, in other kinds of worker associations in which migrant workers are involved, women’s leadership also tends to be low. For instance, the Southern Seafood Workers’ Group in Thailand which brings together 200–300 migrant seafood processing workers from Myanmar has 20 committee members – only four of whom are women and their role is specifically to manage the women’s department (ILRF 2020).

13 KII with CSO in Thailand.

14 KII with CSO in Myanmar.

15 KII with CSO in Thailand.

16 FGD with migrant seafood processing workers. It is not clear if this is a gendered barrier, that is, whether migrant women are less likely to be literate in Thai than migrant men or not. More research is needed also to establish to what degree confidence in leadership abilities is an additional challenge, alongside or over and above Thai literacy.

17 KII with CSO in Thailand.

18 FGD returned migrants in Myanmar.

Labour abuses and sexual harassment

Like for migrant workers generally, most complaints by migrant seafood processing workers concern unpaid wages and lack of access to services: for example, these account for 60 per cent of complaints received from migrant workers by the Indonesian Ministry of Manpower in 2017–19.¹⁹ ILO data from 2017 places non-payment or underpayment of wages as the most common type of complaint among migrant workers in Thailand (Harkins and Åhlberg 2017).

There is very little recognition or reporting of sexual harassment in seafood processing factories or in less formal work settings within the industry. In the same ILO report, sexual harassment does not feature in any of the top ten types of complaint across the region (Harkins and Åhlberg 2017). Within the sector, it is rarely officially reported: for instance, only 1 per cent of respondents in the ILO (2020) end-line survey cited sexual harassment, and all respondents in the factory workers' FGD for this study said that it is not an issue. Similarly, in the domestic seafood sector in Indonesia, no complaints about sexual harassment had been received from migrant workers through official channels. It is worth noting that one reason that recognition of sexual harassment may indeed be very low is that there is no legal framework in place in some origin countries to prohibit it within the workplace, such as in Myanmar. Therefore, it is probable that awareness of what should be considered harassment among Myanmar migrant workers in Thailand is not widespread.²⁰

However, low levels of perception of sexual harassment does not necessarily equate to low levels of occurrence. Other anecdotal evidence suggests that sexual harassment and violence may be widespread – including, for example, in the dormitory accommodation where workers stay and during travel between accommodation and factory.²¹ FGD respondents in the informal sectors of the seafood processing industry were also open about the occurrence of sexual harassment. This suggests that the insufficient reporting mechanisms, alongside low levels of identification of sexual harassment, both play a role in the lack of reports.

► 2.6 Gender and pier-based and home-based informal workers

Key messages: Most work in the substantial informal sub-sector of seafood processing is performed by women, but this has received the least attention. Work is precarious in this sector: few labour or social protections apply; wages are often low and irregular; and the gender wage gap is larger than in other parts of the sector. Even when informal workers have paid into voluntary social protection schemes and believe they should be eligible for benefits, they are often not able to do access them. Access to other services often depends on a Thai intermediary.

Full legal status is virtually impossible to maintain as documentation ties migrants to one employer, but in this sector few employers are able to guarantee full-time work. The sector does, however, offer some flexibility, making it possible for women to balance paid work and unpaid care work and domestic responsibilities. Young children commonly accompany mothers to the workplace, sometimes with some group-based childcare arrangements by co-workers or (occasionally) by employers. Women often have little option but to accept the trade-offs required in terms of working conditions and benefits in the informal sector, as there are few other options available for childcare services.

¹⁹ KII with Government of Indonesia.

²⁰ Note, for example, conflicting data on levels of sexual harassment depending on how it is collected, as per ILO, *Weaving Gender: Challenges and Opportunities for the Myanmar Garment Industry – Findings from a Gendered Quality Assessment in Selected Factories*, 2018.

²¹ KII with CSO in Thailand.

Labour performed by pier-based workers is a substantial and problematic portion of the Thai seafood industry, about which relatively little has been documented. While this sub-sector includes very small firms and individual workers, one CSO notes that some informal workplaces/piers are employing substantial numbers – perhaps 50 or 100 workers. Work is precarious in this sector: few labour or social protections apply; wages are often low and irregular; and the majority of migrants are unable to (fully) regularize their legal status.

Most work in this sub-sector is performed by women (informal estimates suggest 80–90 per cent²²). In Thailand, the majority are migrants from Myanmar, and more recently from Cambodia, with a few from the Lao People’s Democratic Republic.²³ In the ILO (2020) end-line survey of homeworkers, 50 per cent were migrants. This research revealed that home-based workers and pier-based workers are engaged in loading/unloading vessels and vehicles, sorting fish for transport to the appropriate processing factory, as well as in primary processing of fish and seafood (such as cleaning fish and peeling clams and shrimp). Home-based workers mainly process shrimp but some process mixed fish (Plan International 2018; Dahlquist 2017).

In the seafood industry in Indonesia, the type of fishing vessel determines where the fish will be taken; so pier-based fish sorting does not commonly take place. However, in family businesses, wives and children will be involved in cleaning and drying fish, processing shrimp paste, and other processes.²⁴

Wages

These informal jobs constitute non-standard forms of work, with working arrangements externalized and employers bearing little or no statutory responsibility. Wages normally depend on the volume of catch (Praxis Labs 2019),²⁵ and are quite variable, with the worker absorbing all or nearly all of the risk of disruption to the catch for any reason. At least a substantial minority are paid by piece rates.²⁶ Piece rate workers are particularly vulnerable to variation in the catch, with fish stock depletion constituting a significant threat to their livelihoods.²⁷ Getting paid monthly may be limited to those who have a particularly close relationship with the boat owner/employer, and these workers may still have wages deducted if there are substantial disruptions to fishing, such as due to storms or taking leave.²⁸ More recently during the COVID-19 crisis, some fishing boats have not been able to secure the legal number of workers in order to fish, which has also affected fish processing work further down the value chain. These disruptions are on top of more general reduction in the catch because of depleted fish stocks (Praxis Labs 2019).

There are reports of gender inequality in wages within this sub-sector – with men being more likely to earn a fixed monthly salary and with women doing piece rate tasks of peeling prawns, fish sorting and squid slitting.²⁹ A recent survey on wages found a gender pay gap of 41 per cent in the sector, and a large difference between the proportion of women (63 per cent) and men (6 per cent) in the sector earning less than 70 per cent of the minimum wage monthly, which was used as a benchmark (CSO Coalition 2021).

Working conditions and benefits

Working hours are variable in this sub-sector: reports suggest work ranges from 2–3 hours to perhaps 13 hours a day and can take place at night (for example, starting at 2 a.m.). Pier workers and home workers

22 KIIs with two CSOs in Thailand.

23 KII with CSO in Thailand.

24 KII with trade union in Indonesia

25 Also as per FGD with pier workers in Thailand.

26 The Civil Society Organization Coalition for Ethical and Sustainable Seafood (CSO Coalition) report found that 33 per cent of workers were paid by weight (CSO Coalition 2021).

27 KII with CSO in Thailand.

28 FGD with pier workers in Thailand.

29 This is implied by the Praxis Labs (2019) report and corroborated by the FGD with pier workers.

take few days off a month (typically two, compared to four for factory workers) (Praxis Labs 2019; ILO 2020).

Workers in this sector generally have no contract,³⁰ and it is therefore difficult for workers to access protection or benefits (Harkins, Lindgren, and Suravoranon 2017). Maternity benefits, for example, are rarely available for this sector, even when nominally the worker does have one named employer (often a broker) on her documentation. Many women do not know what they are entitled to and accept dismissal or resignation when they are pregnant.³¹

Informal workers, particularly if their documentation is partial or out of date, also have challenges in accessing basic services beyond the workplace. While in principle children of both documented and undocumented migrants can access Thai schools – which are free except for peripheral costs – in practice, enrolment may be informally restricted, and migrants' children may face negative attitudes in schools (Roman and Chuanprapun 2019). For example, undocumented worker-parents may depend on the status of the employer or landlord or other Thai associate to help them get their children enrolled in school.³² There have also been reports of migrant workers not being able to claim the financial bonus other families receive on school enrolment.

Informal workers in Thailand can choose to pay into the social security scheme like their formal sector counterparts, making them eligible, in principle, for social security and (free) healthcare. However, FGD respondents said they had been unable to access COVID-19 unemployment benefits despite paying into the scheme five per cent of their wages.³³

Care work and domestic responsibilities

Some women in this sub-sector work in informal jobs because they did not succeed in securing more formal work. But it is clear that for a number of women, the flexibility of the sector makes it possible to balance paid work and domestic work, and also makes it possible to accommodate the irregular domestic presence of their fisher husbands.

For some workers, the more formal work they were expecting through a broker did not materialize. It is a common practice for brokers to over-recruit in order to be sure they fulfil employer requirements. In these cases, informal work may be all that is available – particularly after the negative effect of COVID-19 on the restaurant and hospitality sectors.³⁴

However, for some women there is a trade-off between finding more formal work which is more secure and with better conditions and being able to balance their gendered roles. For example, some women find pier- and home-based work convenient, despite its vulnerability, because it enables them to live near the ports and therefore be with their fisher husbands when they return from the sea at irregular intervals.³⁵ They can rent housing near the port which is convenient for the husband as well, and the relatively flexible hours are more likely to fit with family life, including the unpredictable patterns of men's work in fishing.³⁶

The work also enables women to earn daily cash for regular living expenses. Fishers, on the other hand, are usually paid monthly or at the end of a fishing trip – which is more likely to be kept as savings (Praxis Labs 2019). One CSO reported that most pier workers are the wives of fishers, and that marriage may offer physical and financial security for women migrant workers. As wives of fishers, women are usually

³⁰ Among the 21 workers interviewed by the CSO Coalition (2021), only three had an employment contract and these were employed in large processing companies.

³¹ KII with CSO in Myanmar.

³² KII with CSO in Thailand; FGD with pier workers in Thailand.

³³ FGD with pier workers in Thailand.

³⁴ FGD with pier workers in Thailand.

³⁵ FGD with pier workers in Thailand; KIIs with CSOs in Thailand.

³⁶ KII with CSO in Thailand; Dahlquist 2017.

more likely to engage in pier-based work as they are able to gain access to the fish on the boats where their husbands work, although this depends also on who the boat owner is.³⁷

Importantly, this type of work gives some women practical opportunities to manage their childcare responsibilities at the same time. Young children are often brought to play at or near the workplace before starting school, and women may make temporary reciprocal care arrangements, although regular childcare is more likely to be for payment (Dahlquist 2017). Some reports suggest some employers or managers help make arrangements for group-based childcare.³⁸ Some women choose to work fewer hours to reconcile with reproductive duties (Dahlquist 2017; Praxis Labs 2019). The informality also allows for children to “help out” when they are in their teens, and some young people report entering the sector in this way – by helping out their mothers or grandmothers who are working in the sector.³⁹

Legal status

Few workers in this sector have fully legal status or work permit documentation – in part this is due to the stipulation that there must be a single employer for a work permit. In the informal sector, there is often no direct employer, and where there is, a single employer is not enough to guarantee full time work or a living wage. To earn enough money, many migrants work for more than one employer, effectively invalidating their legal status. To circumvent these constraints, they make use of brokers who essentially register themselves as a faux employer. Using these services is more expensive but it is the simplest method available to obtain “legal” status while also working informally.

While there is an agreement specifically on the fishing sector between Thailand and Myanmar (Supavadee et al. 2019), seafood processing workers are covered under the MOU for general workers. Under this MOU, some organizations have reported that more women than men access government services for migration into seafood processing.⁴⁰ However, these regular channels are more expensive to access, and do not necessarily provide safe migration because of lack of effective enforcement of labour rights protections for migrants (Harkins, Lindgren, and Suravoranon 2017). In addition, changing employers is not allowed under the MOU except under very specific conditions; so it is not very responsive to the needs of informal workers.

Some workers in this category have accessed the “pink card” permit system, which grants temporary legal status while migrant workers complete a Nationality Verification (NV) process. However, many migrants are unable to complete the NV requirements, and the Thai Government has had to periodically re-open registration for temporary documentation due to the large number of irregular migrants within the country (Grimwade and Neumann 2019). Applications consume time and money to process, and workers who do not wish to miss too much work may choose to use a broker for these re-registrations or completing NV despite the expense involved as it is quicker.⁴¹ Thus, a good many workers may once have had full legal status but become undocumented or semi-documented by non-renewal. Undocumented workers, in order to remain “under the radar” are more likely to be working somewhat further away from the main port activity, often in private homes.⁴²

Some young people living with their migrant parents and working in the sector as teenagers run into trouble when they become adults. While they are children, they are not required to have passports to be in Thailand with their parents or to travel to and from their country of origin. But when they become adults, if they have not applied for a passport, they either need to apply for a temporary passport or remain irregular. Passport applications are expensive and may involve a long journey that may be out of

37 KII with CSO in Thailand; FGD with pier workers in Thailand.

38 KII with CSO in Thailand.

39 FGD with returned migrants in Myanmar; KII with CSO in Thailand.

40 KII with CSO in Myanmar.

41 FGD with pier workers in Thailand.

42 KII with CSO in Thailand.

reach for many young women. To extend a temporary passport in Thailand costs something approaching two-months wages for many migrant workers.⁴³

Complaints

In contrast to factory workers, pier-based workers do seem to identify and state that they have experienced sexual harassment associated with work.⁴⁴ From this research, it is not clear whether this is because these workers are more likely to have experienced sexual harassment or are more likely to identify it as such.⁴⁵ CSOs in both Cambodia and Myanmar recognize and acknowledge sexual harassment among women migrant workers, and also note reports of verbal harassment from supervisors, including from translators/interpreters.⁴⁶ Nevertheless, CSOs report that, just as with more formal factory workers, most of the problems raised are about wage payments and access to services.⁴⁷ Even if they are aware of having experienced sexual harassment, it is clear that access to make complaints on the subject is extremely limited.

For women working on the pier, lack of security is as much about the general living environment as about the workplace. FGD respondents noted that the port area often sees violence between men who drink when they are not out fishing. This is a serious enough concern for some to move away from the port area, even though this means a greater distance to travel to work. This lack of security in the environment represents another of the many dimensions of the trade-off between work flexibility and risk made by women working in this sector.

Worker organizing

Few pier workers are organized but there are some examples. In Thailand, the Samae San Fishermen's Alliance has organized 200 members, among whom 40 per cent are the wives of fishers who are working at the ports in pre-processing. They not only bring an understanding of their own conditions to these organizations but also those of their husband fishers and their children (ILRF 2020).

► 2.7 Gender and LGBTQI+ migrant workers

Key messages: Little has been documented on the involvement of LGBTQI+ migrant workers in the fishing or seafood processing sectors. For other sectors, work is strongly segregated, particularly for transgender people, but in general there is little recognition of these groups, likely due in part to workers downplaying their gender/sexuality status in the face of discrimination. At the same time, recent research suggests that some LGBTQI+ migrants within the region go abroad at least partially in search of greater personal freedoms to express their sexual orientation and gender identity than they experience at home (ILO, forthcoming).

⁴³ FGD with pier workers in Thailand.

⁴⁴ FGD with pier workers in Thailand; FGD with returned migrants in Myanmar.

⁴⁵ It is also possible that the route taken to contacting these respondents (through CSOs) meant that the sample was more likely to be able to identify sexual harassment by virtue of their engagement with these organizations.

⁴⁶ KII with CSO in Cambodia; KII with CSO in Myanmar.

⁴⁷ KII with CSO in Thailand; KII with CSO in Myanmar.

Little is known about LGBTQI+ migrant workers specifically in the fisheries and seafood processing industries. A 2014 PRIDE report on Thailand notes that in general Thai LGBTQI+ persons face persistent stigma and discrimination in employment (Suriyasarn 2014). This is most severe for people with more visible different gender expressions, in particular transgender and intersex persons and “tomboys” (masculine lesbians). Discrimination extends through education to job opportunities, career advancement and access to social security benefits. Like for the binary male/female gender positions, work sectors tend to be strongly segregated, particularly for transgender people, who are ghettoized in stereotypical jobs such as cabaret performer, make-up artist, or in cosmetic sales, public relations and sex work. In the manufacturing sector, the PRIDE report notes that tomboys have recently become workers in demand by factories that have traditionally employed a large number of women because employers perceive them to be “nimble” and “detailed-oriented” like women and “strong” like men, and importantly, because they tend not to take maternity leave.

It is reasonable to assume that migrant LGBTQI+ people suffer from the same discrimination in Thailand as Thai LGBTQI+ people, possibly with additional negative stereotyping connected to assumptions that they are migrant sex workers (Fisher, Olsen, and Bernardo Villar 2019).

For the seafood processing sector specifically, there is little evidence of a significant number of migrant LGBTQI+ factory workers but there is also acknowledgement that they are likely to downplay their gender/sexuality status in the workplace and may not be widely recognized. This situation is likely less so in Thailand – one respondent noted that the status of LGBTQI+ migrant workers is more accepted in the country, especially during recent labour shortages. In other countries in the region, it was reported that LGBTQI+ migrant workers can provoke high-levels of discrimination and are more likely to hide their status.⁴⁸

Research suggests that some LGBTQI+ migrants within the region go abroad at least partially in search of greater personal freedoms than they experience at home. An ILO (forthcoming) study found:

People with diverse sexual orientations and gender identities often experience profound economic, social, and legal precarity in their countries of origin before labour migration. The decision to become a migrant worker is often a response to that precarity, and for many people with diverse sexual and gender identities, migrant work offers genuine opportunities for economic advancement, self-actualization and family relationship building. However, those opportunities often co-exist with increased precarity that follows them along their journey.

⁴⁸ In this study, while most respondents considered the culture on fishing vessels to be so masculine that LGBTQI+ people would not be working in the sector, one respondent suggested LGBTQI+ persons are occasionally seen on boats.

► 2.8 Gender and the fishing sector

Key message: It is very likely, but little documented, that strong cultures of masculinity on board fishing vessels, combined with strong pressure on men to fulfil breadwinner roles, contribute to the high-risk environment and to a lack of reporting of abuses.

Risky and violent behaviour

Gender is of course also highly relevant to men and perhaps particularly so in environments that exhibit strong cultures of masculinity, as is reported on fishing vessels in the region. This can exacerbate particular types of behaviour: The all-male workforce contributes to the high incidence of workplace injuries within the sector, as social norms requiring men to take greater physical risks at work exacerbate the inherent danger of work on a fishing vessel. These combine with structural features about the sector that can exacerbate risky behaviour. For example, it is common for workers to be paid by a share of the catch, which may encourage excessive working hours among other high-risk practices.

In addition, the nature of employment in fishing means that fishers live and work on-board fishing vessels for extended periods of time and under isolated conditions at sea, far from sources of assistance should problems occur. These enabling factors, combined with ever-increasing market pressures to lower labour costs and declining global fish stocks, have led to well documented problems with labour abuses against migrant men, extending to situations of forced labour and physical violence in the most severe cases.

Men as breadwinners

Contributing to this is a strong pressure on men in the region, as elsewhere, to be breadwinners for their families. Men migrants are often unwilling to risk the loss of wages used to support their families in countries of origin even if it means enduring protracted periods of abusive treatment. Because societal definitions of male success heavily emphasize their ability to provide for their families, many migrant men have reported feeling unable to leave exploitative situations if it means returning home empty-handed and being viewed as a failure in their communities.⁴⁹

Lack of reporting of abuse

The highly masculine working environment on-board fishing vessels can also restrict the willingness of fishers to identify themselves as having experienced abuses and to seek assistance. Fear of continuing to be abused by known offenders on board also prevents reporting.⁵⁰ Anecdotal evidence suggests that some men may be at risk of sexual abuse when vessels are at sea⁵¹ – however, little has been documented on these issues, and reports are rare.⁵² Primary data collected here includes description of incidents when men have reported sexual assault to CSOs but then been unwilling to pursue cases.⁵³

49 For a discussion of Indonesian fishers, see for example, Rebecca Surtees, “At Home: Family Reintegration of Trafficked Indonesian Men”, *Anti-Trafficking Review* No. 10 (2018), 70–87.

50 KII with CSO in Myanmar.

51 See, for example: ILO, “Forced Labour and Human Trafficking in Fisheries”; EJF, “Press Release on Full Scale of Human Rights Abuse in the Fishing Industry Revealed”, 5 June 2019.

52 KII with CSO in Myanmar. An IOM and Nexus Institute (2014) report on trafficked Cambodian fishers reported that none of the men interviewed reported experiencing or witnessing sexual abuse on fishing vessels while they were being exploited, although service providers in Cambodia have assisted a small number of male victims who reported sexual assault while being trafficked on fishing vessels.

53 KII with CSO in Thailand.

Although it is widely recognized that conditions in the fisheries sector can be very severe, the broader global narrative around trafficking is very polarized, and associated in particular with women and girls (principally in the sex industry). Men are less easily seen as victims of trafficking, and the conditions of work in the fishing industry are instead associated with severe labour abuses and modern slavery rather than trafficking specifically.⁵⁴ As noted by the Empower Foundation (2016), this association of extreme abuse when it happens to men with the abuse of workers means that responses to it have more easily focused on improving labour conditions rather than the elimination of the industry entirely – in contrast to the response to abuses in the sex industry.

Because men in the fishing industry are less commonly viewed to be victims of trafficking, they are also not catered to in protection services responding to trafficking, such as the shelters in which survivors are kept while awaiting criminal justice proceedings or return and reintegration services. At the same time, many of these shelter facilities tend to be highly restrictive and controlled environments and it is not desirable to simply replicate these services for men in ways that would limit their recovery processes.⁵⁵

► 2.9 Gender and sex work

Key message: Women form the majority – and migrant women a significant sub-set – of those working in the sex industry, which in port areas operates in symbiosis with the fishing industry. Little is documented about the particular conditions of work and risks to migrant workers in this related sector of employment. Research on the wider sex industry suggests that the vast majority of people working in the Thai industry are not coerced or forced to do so, and wages in the sector are often higher than in other sectors. Nevertheless, sex workers are subject to specific risks due to the criminalization of their work and the conflation of their employment with human trafficking. They are not entitled to coverage by the labour and social protections available to migrant workers in other sectors due to the informality and outlawing of their employment.

There is little documentation on the subject of sex work specifically in relation to the fishing industry but anecdotal evidence from this research makes clear that a significant sex industry exists in a number of fishing ports, largely to provide services to workers in the fisheries sector.

Prior research has demonstrated that a proportion of sex workers in Thailand are migrant women and men from Myanmar, the Lao People’s Democratic Republic, Viet Nam and Cambodia (Fisher, Olsen, and Bernardo Villar 2019). Most often, these migrants work in border areas and sometimes later move on to seek employment in larger cities. Some respondents noted that migrant sex workers in border areas most commonly provide services to men migrant workers from their own countries.⁵⁶

Interviews with CSOs suggest that migrant sex workers in port areas are often employed in karaoke bars but may also work independently as “freelancers”, providing services in the port area when a boat or ship comes in.⁵⁷ Migrant sex workers in these areas generally work under precarious conditions. They often hold irregular legal status and work in an industry which is criminalized and stigmatized in Thailand. In addition, sex work, particularly when it is carried out by migrant workers, is often conflated with human trafficking for the purpose of sexual exploitation. Migrant sex workers are therefore at particular risk of being harassed and detained during anti-trafficking interventions, facing the regular threat of police raids on their workplaces to “rescue” them with little regard for their personal choices.

⁵⁴ KII with UNDP.

⁵⁵ KII with IOM.

⁵⁶ KII with CSO in Cambodia; KII with CSO in Thailand.

⁵⁷ KII with CSO in Thailand.

The narrative of exploitation that surrounds their work allows little space for the possibility of sex workers exercising any agency over their situation and fails to recognize that working in the sex industry is a practical decision for many individuals, including migrants. By contrast, studies by the ILO (unpublished) and the Empower Foundation (2012) have found that the vast majority of people working in the Thai sex industry are employed there by choice and are not coerced or forced to do so.

In particular, the sex industry often provides migrant workers with an opportunity to earn higher wages than are available in countries of origin or in the other sectors available to migrant workers in Thailand. However, migrant sex workers are currently unable to draw on the labour and social protections available to other migrant workers because of the criminalization of their work (PRIDE 2020; ILO 2019).

As informal workers not entitled to any form of social protection, migrant sex workers have suffered particularly acutely from COVID-19 and its economic consequences. At the time of writing, the karaoke bars near the piers are reported to be closed and many of the migrant sex workers they employed have been forced to return home.



3. Gender Equality and Women's Empowerment Strategy

The S2SR programme will take all possible opportunities to contribute to gender equality in the course of advancing its objectives to strengthen labour standards, protect rights and empower women and men migrant workers in the fisheries and seafood processing sectors. In doing so, it will contribute to fulfilling ILO commitments to gender equality, including through advancing the SDGs, and to fulfilling the EU's commitment to making engagement on gender equality in its external programmes more effective.

Taking all opportunities to promote gender equality requires an understanding of the structural nature of women's disadvantage and embedding gender equality measures to counter this disadvantage through all aspects of the programme. This includes through the selection of project focus, through the design of activities, and through the methods and principles with which these are put into action.

The strategic vision

Ship to Shore Rights South East Asia will work with women and men stakeholders to make gender inequality visible and to reset it through a gender transformative approach. It will employ the following specific strategies:

- 1. Focus on the informal sector** (in pier work and smaller factories).
- 2. End discriminatory practices towards women and LGBTQI+ persons:** hiring practices, gender pay gaps, routine pregnancy testing and unfair dismissals.
- 3. Support women's reproductive roles** through maternity protection, childcare provision and promoting flexible, parent-friendly work arrangements in the formal sector.
- 4. Organize women migrant workers** into trade unions and worker associations.
- 5. Ensure women-friendly grievance mechanisms**, including in relation to violence and harassment.
- 6. Generate new knowledge on gender**, including through research on gender structures affecting men and masculinities, particularly where they may lead to harm.

► 3.1 Principles for implementing the strategy

There is no one right way to integrate a gender perspective into a programme but there are some guiding principles:

- 1. Be ambitious but target areas where there is scope for progress.** Where is the place where progress can be made?

2. **Work in collaboration.** What issues are partners and stakeholders able to act on? Coalition building is essential for sustainable change.
3. **Put women’s agency in the centre.** Assume women have agency, will express it when possible and can be supported to express it more if not discouraged in everyday interactions.
4. **Bear in mind some broader issues about gender and labour markets:**
 - Labour markets are strongly gender-segregated everywhere. This is an important enabler of gender pay gaps. Gender segregation is less about actual skills required for tasks than about being able to pay people at low levels because of who they are. Tackling gender segregation is often a fruitful approach (but once women are a majority in a sector, it is usual that conditions/pay levels deteriorate in that sector).
 - Women’s over-representation in the informal sector is partly about difficulties of access to the better remunerated and more secure formal sector but it is equally about women’s other responsibilities. Many women are happier in the informal sector because the formal sector norms usually make it impossible to incorporate childcare into their schedule.
 - Formalization that does not allow flexibility for childcare may push women out of employment rather than result in them having better working conditions, unless they have relational ties or paid arrangements with other women who can substitute. Efforts to formalize employment need to accommodate these duties – either through flexible conditions or through affordable childcare.
5. **Be cautious of the undifferentiated category of “worker”.** Although it can be a helpful unit of analysis and a positive force for mobilization, the imaginary, generalized “worker” is almost always male. His relation to and experience of work sectors, support services, recruitment processes and safety in public spaces are very different from those of women. Gender disaggregation is essential.
6. **Do not lose sight of intersectionality.** Discrimination against migrants is a powerful force affecting women and men migrant workers, and they have many issues in common. But women migrant workers suffer an additional layer of discrimination on the basis of being female. When working against one type of discrimination (migrant status) it is easy to lose sight of others (gender). When women migrants’ interests are different from their male counterparts, these are often lost or can become invisible in policies and programmes.

► 3.2 Twin-track approach

This strategy reflects a twin-track route to integrating a gender approach:

- **Track 1: Gender equality mainstreaming** – This means integrating a gender transformative approach into all types of programme activity so that gender equality is promoted at all opportunities, even where this is not the main objective of the activity.
- **Track 2: A focus on women’s empowerment and LGBTQI+ persons** – This means including some activities which specifically address the empowerment of women and LGBTQI+ persons as the main objective.

This twin-track approach means there are two dimensions to actioning the strategy. The first is to scrutinize the framing of the programme’s activities to identify how women, LGBTQI+ persons and their interests can be more clearly reached and centralized as core objectives. Questions to be asked by national and regional programme staff when planning work and seeking partnerships include:

- ▶ Does the focus of the project mean that project resources are being used to address women's and men's interests in at least equal measure?
- ▶ Has a commitment to addressing women and men's different social and economic positioning driven the selection of focus areas?

The second dimension, once activities have been identified and planned, is to identify ways to maximize the gender equality opportunity in each of them. Questions to be asked by all project stakeholders and partners as they implement activities include:

- ▶ How can this activity be managed so that it maximizes the opportunity to enhance women's and LGBTQI+ persons' participation and leadership?
- ▶ How can we monitor this activity so that what we are measuring helps all stakeholders to work towards gender equality through it?

This strategy is inclusive: while it focuses on women and their widespread inequality, the strategy is clear that gender equality means equity and non-discrimination outcomes for all migrant workers, regardless of gender. While not all project country stakeholders are currently able to include LGBTQI+ issues in their work, S2SR will work with all parties where possible to ensure LGBTQI+ migrant workers' rights are recognized and protected.

► 3.3 Recommended activities on gender equality and women's empowerment

A set of specific recommended activities on gender and equality and women's empowerment are provided in the section below under the three S2SR programme objectives. The recommendations in were derived from the key informant interviews and focus group discussions undertaken as part of the research for developing the strategy, as well as from desk research. They represent a menu of options from which the programme can draw in developing its annual work plans with tripartite plus constituents in each target country and at the regional level. In addition, cross-cutting measures to increase women's participation and leadership in discussion and decision-making processes are offered, which can be incorporated throughout the programme interventions.

Policy

Objective 1. Strengthen the legal, policy, and regulatory frameworks related to labour migration and labour standards, focusing on the fishing and seafood processing sectors in South-East Asia.

Output 1.1. Improved knowledge of governments, social partners and civil society on the drivers, outcomes and dynamics of labour migration and human trafficking in the fishing and seafood processing sectors.

- ▶ Fill gaps in basic information about migrant women in the sector, by improving the disaggregation of migration data for the sector (Viet Nam)⁵⁸ and by collecting data on migration for work in seafood processing (Indonesia and Lao People’s Democratic Republic).⁵⁹
- ▶ Improve understanding of the impact of gender norms on men in the sector through research on how masculinities – particularly harmful masculinities – influence working conditions and practices on fishing vessels.
- ▶ Ensure that work to improve coordination of labour migration data is insistent on sex-disaggregated data in the sector, and for each sub-sector within it.⁶⁰
- ▶ Assess more precisely women and men’s involvement and situations in the informal parts of the supply chain involving migrant workers in Thailand, including in pier-based and home-based work.
- ▶ Conduct an assessment of employment in service sectors that are used by fisheries workers, including employment as sex workers, brokers, documentation agents and childcare providers.
- ▶ Focus on strengthening labour protection and decent work for non-migrant workers in domestic seafood processing (for example, in Indonesia).
- ▶ Assess the socio-economic situation of family members staying behind as part of the research studies conducted in countries of origin.

Output 1.2. Increased opportunities for regional and cross-border cooperation created to support bilateral and multilateral policies on safe, orderly and regular labour migration.

- ▶ Make sure any MOUs developed include elements to cover sectors of work that are relevant to migrant women (such as seafood processing) so that more women become protected by these agreements. Aim to include flexibility into these MOUs such that changes of employer or employment by more than one employer do not effectively nullify legal status.⁶¹
- ▶ Work towards greater visibility of the land-based seafood processing sector in regional coordination mechanisms currently focused on fishing vessels, including the informal pier-work fish sorting areas of the industry (for example, include these as part of planned regional coordination meetings).⁶²
- ▶ Ensure that the seafood processing sector, and organizations working with workers in this sector, are included as focus areas for the SEA Forum for Fishers event.

Output 1.3. Strengthened capacity and public support for development and implementation of rights-based policies and legislative reforms on labour migration, particularly in the fishing and seafood processing sectors.

- ▶ Promote ratification and/or incorporation of international labour standards relating to the work of women, men and LGBTQI+ migrant workers in policy advocacy, including the Work in Fishing Convention, 2007 (No. 188); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Maternity Protection Convention, 2000 (No. 183); the Violence and Harassment Convention, 2019 (No. 190), and others.

⁵⁸ KII with the Viet Nam Women’s Union.

⁵⁹ KII with the Ministry of Foreign Affairs in Indonesia; KII with CSO in Lao People’s Democratic Republic.

⁶⁰ See ILO, *Making Women Migrant Workers Count: Sex Disaggregation of Labour Migration Statistics in ASEAN* (2019 data), 2020.

⁶¹ See the ILO GEMS Toolkit, “Tool 5: Bilateral Agreements and MOUs”.

⁶² See ILO GEMS Toolkit, “Tool 4: Law and Policy”.

- ▶ Ensure that promotion of decent work standards in seafood processing includes maternity protection and parenting support, such as provisions for flexible hours and advocacy for affordable childcare – including for LGBTQI+ migrant workers.⁶³
- ▶ Work towards policies regulating seafood processing that recognize the responsibilities of women and men migrants to provide childcare. For instance, through flexible working arrangements that accommodate some of these duties; provision of or facilitation of childcare by employers during working hours; and mutual/shared/group-based childcare arrangements.
- ▶ Include issues of bodily integrity in pre-departure training and post-arrival orientation on fair and ethical recruitment for seafood processing, drawing attention both to women’s right to privacy and agency with regard to their pregnancies, as well as issues of recognition of and responses to sexual harassment and violence in the workplace.
- ▶ Ensure that action and advocacy to regularize migrant workers in the sector includes mechanisms for migrant workers to change employer without cause or permission. Consider where there is scope for advocating for permission to have more than one employer. This would benefit women in particular, as they are more numerous in the informal parts of the sector in which one employer typically cannot guarantee regular full-time work.⁶⁴
- ▶ Ensure trafficking frameworks and response mechanisms recognize, uphold and promote women’s agency and the agency of LGBTQI+ workers at all opportunities. Advocate against the conflation of (migrant) sex work with trafficking, including promoting the decriminalization of sex work where there are opportunities.
- ▶ Promote protection and reintegration pathways in trafficking response that are gender transformative. For instance, by seeking rehabilitating pathways that challenge gender norms – and particularly gender segregation – in labour markets. It is particularly important not to rehabilitate women into low-paid and crowded work sectors that reinforce gender stereotypes and ghettoization into low-status, low-paid work.
- ▶ Ensure that complaint mechanisms to address grievances and provide access to social protection benefits for women and men migrant workers include workers in the informal parts of the industry.
- ▶ Advocate for registration processes and other government services for obtaining documentation to be more accessible to women migrants, recognizing that their mobility and resources are usually more restricted than men’s. More local/decentralized systems are needed, as well as working towards a model that does not require so many migrants to make use of the services of a broker. This will benefit the lowest wage workers most, who are more likely to be women.

Systems

Objective 2. Protect labour rights and promote safe and secure working environments for all migrant workers from recruitment to post-admissions and end of the contract.

⁶³ See Kusakabe and Melo (2019); and ILO GEMS Toolkit, “Tool 4: Law and Policy”.

⁶⁴ Myanmar women migrants in the informal sector in Thailand have documented what their priorities are for improving their working conditions in a video by the MAP Foundation, available at: <https://www.youtube.com/watch?v=eIoz1yRy6fQ&t=22s>.

Output 2.1. Strengthened capacities for labour inspectorates and law enforcement institutions to enforce labour and human rights in the fishing and seafood processing sectors.

- ▶ Based on the revised guidelines for the training of labour inspectors in Thailand, ensure that strengthening capacities includes an understanding of provisions for the following, why they matter, and how to enforce them:
 - Bodily integrity, specifically the right to privacy concerning pregnancy;
 - sexual harassment and sexual violence in the workplace, including how to identify, report and respond to incidences of sexual harassment and violence; and
 - the need to include women’s opinions and perspectives when conducting inspections, including by ensuring that women labour inspectors are recruited.
- ▶ Ensure that labour inspectors and employers implement provisions for reporting genderspecific abuse in the workplace, including gender-based discrimination and sexual harassment.
- ▶ Ensure that labour inspectors are empowered to investigate and sanction gender pay gaps that breach regulations, compulsory pregnancy testing, and dismissal on the basis of pregnancy.
- ▶ Establish opportunities to report labour violations of all kinds through mechanisms that women have good access to and trust – notably, this should include paralegal and/or CSO assistance, which have been found to be trusted by women migrants (Harkins and Åhlberg 2017). Digital methods such as Facebook or phone, and/or via a wage desk in labour protection and welfare offices have also been suggested.
- ▶ Continue to focus on key violations affecting both women and men, such as underpayment, non-payment or delayed payment of wages. This can be addressed, in part, through wages being paid into bank accounts so that workers can see and have evidence of what they have paid and by addressing violations involving control of workers’ bank accounts/ATM cards.
- ▶ Promote awareness of sexual harassment and how to report it among women and men migrant workers. Build the capacity of labour attachés posted in destination countries on identifying sexual harassment and responding to complaints.

Output 2.2. Strengthened capacities of labour inspectors, law enforcement authorities and social partners to fight trafficking of human beings and unacceptable forms of work in the fishing and seafood processing sectors.

- ▶ Facilitate partners to provide trafficking protection services that are gender transformative and offer opportunities for work in non-traditional sectors – particularly avoiding sectors that are already crowded (particularly for women) and in which rates of pay are low.⁶⁵
- ▶ Ensure that response mechanisms and reintegration pathways are equipped to deal with male victims of trafficking, including awareness of the issues of shame and failure that may be experienced by men who are expected to be breadwinners for their families.
- ▶ Build capacity for policy advocacy to focus on community-based services for trafficking rehabilitation processes.

Output 2.3. Strengthened capacity of recruitment agencies and employers in the fishing and seafood processing sectors to protect labour rights and ensure good labour practices.

⁶⁵ As well as to avoid to making exploitative use of the anti-trafficking narrative to sell products at a premium that is not passed on to the rehabilitated producer. See Elena Shih, “The Anti-Trafficking Rehabilitation Complex: Commodity Activism and Slave-Free Goods”, in *OpenDemocracy*, 19 August 2015.

- ▶ Support advocacy and service provision partners to focus more on improving standards in the informal parts of seafood processing sectors where women are most likely to benefit.
- ▶ Ensure partners in the effort to fight trafficking of human beings and unacceptable forms of work are supported through capacity building to be aware of and ready to act to remedy processes that ignore or dismiss women's agency or trivialize their need for access to economic opportunities.
- ▶ Support employers and workers to ensure that welfare committees are representative of the workforce, including in their gender balance and countries of origin. This may mean creating bigger welfare committees, especially in bigger factories, so that these go beyond managers and supervisors (who are mostly men) to also include factory floor workers.⁶⁶
- ▶ Support employers and workers to increase migrant women's access to supervisory and semi-supervisory "interpreter" and other leadership positions, including through the provision of training.

Household

Objective 3. Empower migrant workers, their families, organizations, and communities to promote and exercise their rights.

Output 3.1. Increased availability of accurate information and support on migration and labour rights to women and men migrants, their families and communities throughout the migration process.

- ▶ Ensure that opportunities for pre-departure training take account of women's relatively limited mobility by bringing these trainings or other migration awareness raising events closer to potential women migrants' homes.⁶⁷ Consider offering paralegal training to returned women migrants in order to position them as peer educators for potential women migrant workers,⁶⁸ especially where mobility constraints are severe.
- ▶ Provide information to migrants on minimum wage rates, overtime rates and access to family services – including education for children, maternity benefits and childcare services – and how these do or do not apply to informal work (MAP Foundation 2020).
- ▶ Include issues of sexual harassment in pre-departure training – how to recognize it; how to report it; and how to seek referrals for medical or psychosocial services – with a particular focus on encouraging women to speak up about harassment.⁶⁹
- ▶ Where there are opportunities, reach out to the wives of fishers to support organizing. The primary objective should be to support them in claiming their own rights as workers and enhancing their working conditions. In this respect, organizing activities may potentially address access to childcare and/or options for flexible work. A secondary purpose could also be to support them in claiming the rights of their fisher husbands, who may have more difficulty organizing due to their frequent absence during time at sea.
- ▶ Where wives of fishers are the unit for organizing, recognize their particular vulnerabilities and challenges, such as having responsibility for covering day-to-day expenses. Therefore, they may be

⁶⁶ KII with CSO in Thailand.

⁶⁷ KII with CSO in Myanmar.

⁶⁸ KII with Ministry of Foreign Affairs in Indonesia.

⁶⁹ KII with CSO in Myanmar; KII with ILO in Lao People's Democratic Republic.

responsible for debts taken on when income from fishing is low, such as through moneylenders and micro-credit arrangements (USAID Oceans 2018).

- Provide information and social services to support the family members of migrants staying behind in origin countries in regard to managing childcare needs and other household requirements while migrant workers are employed abroad. Deliver psychosocial support for family reunification upon return.

Output 3.2. Increased opportunities for women and men migrant workers in the fishing and seafood processing sectors to develop skills, organize, obtain peer support, receive assistance from workers’ organizations, and engage with governments and employers to claim their rights.

- Support workers’ organizations and CSOs to address the issues faced by migrant women in the seafood processing sector, including pier-based and home-based work.⁷⁰ This would include the following:
 - Specific efforts to reach out to women migrant workers to join workers’ organizations and to identify and remove the barriers to their doing so.
 - Identifying and building the capacity of workers’ organizations to enhance their understanding of the gender-specific issues of women migrants in the industry. This might include addressing issues like the disproportionate amount of women’s wages that are currently required for childcare.
 - Advocate with existing workers’ organizations to take up issues that specifically support women, such as maternity protection and childcare provision for their members.
- Support organizations working with informal workers to move into the seafood processing sector in countries where women (migrant or non-migrant) are not organized and to reach out to these women and respond to their gender-specific interests (for example, in Thailand and Indonesia).⁷¹
- Facilitate the establishment of women’s groups for informal workers in areas where formal unionization is challenging.
- Support training for migrant women labour leaders and potential leaders, perhaps using mentor-based strategies, such as South–South pairings from sectors where women are visible in leadership roles. This might include trade unions in the garment sector in Myanmar or women trade union leaders from Indonesia.
- Build awareness of the presence of LGBTQI+ people working in the fishing and seafood processing sectors and their potential vulnerabilities in order to extend the reach of support services offered to these workers.

Crosscutting strategies

Amplify women’s participation and leadership in dialogue and decision-making venues, including within key stakeholder organizations and at migrant workplaces.

⁷⁰ See ILO, *Organizing women migrant workers: Manual for trade unionists in ASEAN*, 2021.

⁷¹ KII with Kamiparho in Indonesia.

- Go beyond inclusion by numbers in meetings and events to inclusion in terms of active participation. This should include activities to support women’s leadership and participation in decision-making wherever possible.⁷² Specific activities might include:
 - Women-only meetings or women-only sub-meetings/breakout groups so that women’s perspectives are explored and opportunities for leadership development of are offered.⁷³
 - Establishing at least a 30 per cent quota for participation of women in all training associated with the project,⁷⁴ including an “if not, why not?” accountability system.
 - Develop and apply tools for organizing policy consultations that challenge the existing male-dominated power dynamics, including monitoring how well they are working in changing the status quo.⁷⁵
- Enhance women’s leadership in government, employers’ organizations, workers’ organizations and CSOs through building the capacity and supporting the career development of individual champions.
- In workplaces, support employers to proactively recruit migrant women into supervisor and interpreter roles in factories – which are key interlocutor roles between the workforce and the management. Support for migrant women’s leadership could include educational support in cases where literacy in the destination country language is a barrier to moving into supervisor status.
- Advocate for worker welfare committees in factory workplaces that are representative of their workforce with respect to gender balance and origin countries.⁷⁶
- Where women’s insecure legal status is an impediment to their coming forward to take up leadership roles, support local women-only networks for development of leadership skills that do not excessively raise the profile of women participants.⁷⁷

► 3.4 Recommended changes to programme tools

Based upon a review of the drafts developed to date, the S2SR programme tools have thoroughly mainstreamed gender concerns in most respects. However, they can be strengthened further to tighten their attention to gender inequality and to ensure that this is well-integrated into all parts of the programme framework. The broad recommendations for changes are outlined below with more detailed inputs provided on the internal programme documents.

Theory of change

The theory of change incorporates a strong gender equality and women’s empowerment component at all result levels and as a cross-cutting strategy. However, it currently does not mention women and men separately in all outputs. Stating these separately serves as a reminder that the situations of women and men are often different and therefore need to be considered separately.

⁷² KII with CSO in Myanmar; KII with UNDP; KII with Migrant Workers Rights Network.

⁷³ KII with Kamiparho in Indonesia.

⁷⁴ KII with Kamiparho in Indonesia.

⁷⁵ Materials to refer to for shaping such tools might include “Promoting Women’s Voices as a Male Ally” from the Brussels Binder Beyond Toolbox; Rosetti Rivera, “Too Few Women at the Table: 5 Ways to Improve Gender Balance in EU Policy Debates”, in Brussels Express, 26 January 2019; and International Gender Champions, Gender-Responsive Assemblies: An Agenda for Concrete Action, 2018.

⁷⁶ KII with Migrant Workers Rights Network.

⁷⁷ KII with Network Activities Group; KII with MAP Foundation.

Evaluation criteria

The evaluation criteria listed in the S2SR monitoring and evaluation plan include gender equality and women's empowerment as a key criteria and as an evaluation question. However, this framework could be strengthened with the inclusion of more gender-specific language. It is also recommended that the mid-term evaluation of the programme include a brief review of the implementation of the Gender Equality and Women's Empowerment Strategy.

Performance framework

For the performance framework, it is recommended that a cross-cutting indicator be added to the monitoring framework to capture broad progress on gender equality, as follows:

- Number of women in supervisory roles in stakeholder organizations, committees, events and workplaces associated with the programme.

A target of 25 per cent should also be included in the performance framework to finance activities targeting women or aimed at specifically addressing gender equality (see also "Gender budgeting" below):

- Indicator: Percentage of overall annual budget at country and regional level spent on activities targeting women or explicitly targeting gender inequality

The performance framework could be improved by more clearly include analysis of and response to gender inequality. Indicators developed for S2SR are stated as reflecting the principle of gender disaggregation for "vulnerable and marginalized groups within the migrant population. In particular, all data will continue to be analysed by gender but also by sector, legal status, ethnicity and other groupings where appropriate." However, clearer and more frequent specification of "women and men" as target groups and the subjects of indicators would increase attention to gender disaggregation at all stages and the need to target women in particular in some activities.

Monitoring and evaluation training manual

As planned, monitoring and evaluation training should explicitly include support and guidance to implementing partners on the collection and analysis of sex-disaggregated data to improve the gender-responsiveness of their activities.

Annual reflection retreats

It is recommended that specific sessions by technical specialists on gender transformative approaches should be included in the annual reflection retreats for the project.

Gender budgeting

As specified in the monitoring and evaluation plan, it is recommended that gender budgeting should be used to allocate sufficient resources to activities related to gender equality and women's empowerment. However, it is recommended that the minimum proportion allocated in this way should be raised from 20 per cent to 25 per cent. This is reflected in a new cross-cutting objective and indicator for this in the performance framework.

Activities falling under the gender budget category should be reported as a costed list in each S2SR annual report, giving the total gender spend as a percentage/proportion of overall spend. An Administrative and Finance Assistant can support this process.

Gender in planning processes

Planning processes are founded on reviews of the previous year's progress – such as annual reflection retreats and annual reporting, both of which include provisions for gender-specific focus and assessment. On the basis of this combined assessment of progress on gender equality issues, the annual work planning process should take explicit action to include further progression of the gender equality approaches specified in this strategy.

A draft work plan should then be subject to a critical review by a technical specialist/gender focal point on:

- How the activities set out in plans intend to address gender equality; and
- To what extent this selection of activities best responds to gender inequalities in the sector.

Suggestions arising from this critical review will then be incorporated into the final versions of the work plans.

Gender taskforce

A six-member gender taskforce should be established within the S2SR team to focus on the implementation of this strategy, meeting on a quarterly basis. The taskforce should be enabled to supply gender-related information where required, support national programme coordinators in keeping gender issues and responses on the programme agenda, and liaise across the programme on gender issues. An Administrative and Finance Assistant should be included in the taskforce to support gender budgeting.

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► Annex 1. List of people consulted

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1.	Mi Zhou	Chief Technical Advisor, S2SR	ILO
2.	Ben Harkins	Technical Officer, S2SR	ILO
3.	Phumphat Chetiyanonh	Monitoring and Evaluation Officer, S2SR	ILO
4.	Pierre Mahy	Evaluability Assessment Consultant, S2SR	Consultant/ILO
5.	Deepa Bharati	Chief Technical Officer, Safe and Fair	ILO
6.	Anna Olsen	Technical Specialist, TRIANGLE in ASEAN	ILO
7.	Rebecca Napier-Moore	Technical Officer, TRIANGLE in ASEAN	ILO
8.	Jaqueline Pollock	Former ILO Chief Technical Adviser	ILO
9.	Jenna Holliday	Independent Gender Migration Specialist	Consultant/EU
10.	Among Resi	Programme Officer, S2SR	IOM
11.	Evie Van Uden	Consultant, S2SR	IOM
12.	Aleksandra Lasota	Migration, Business and Human Rights Lead	IOM
13.	George May	Programme Coordinator, S2SR	UNDP
14.	Francesca Gilli	Programme Manager	EU
Thailand			
15.	Anyamane Tabtimsri	National Programme Coordinator, S2SR	ILO
16.	Kanchana Poolkaew	Director of Labour Protection Division	Department of Labour Protection and Welfare
17.	Chuleerat Thongtip	Director	International Cooperation Bureau
18.	Mai Mai Twe	Women Exchange Project Officer	MAP Foundation
19.	Ying Horm	Women Exchange Project Officer	MAP Foundation
20.	Roisai Wongsuban	Program Advisor	Freedom Fund
21.	Suthasini Kaewleklai	Coordinator	Migrant Workers Rights Network
22.	Wasurat Homsud	Program Officer	Raks Thai Foundation
23.	Nicha Phannajit	Program Officer	Raks Thai Foundation
24.	Apinya Thajit	-	Stella Maris

Thailand			
25.	Thama Thajit	-	Stella Maris
26.	Myanmar migrant worker	Via PROUD	Seafood processing factory worker - F
27.	Myanmar migrant worker	Via PROUD	Seafood processing factory worker - F
28.	Myanmar migrant worker	Via PROUD	Seafood processing factory worker - F
29.	Myanmar migrant worker	Via PROUD	Seafood processing factory worker- F
30.	Myanmar migrant worker	Via PROUD	Seafood processing factory worker - F
31.	Myanmar migrant worker	Via PROUD	Seafood processing factory worker - F
32.	Myanmar migrant worker	Via MAP Foundation	Pier worker - F
33.	Myanmar migrant worker	Via MAP Foundation	Pier worker - F
34.	Myanmar migrant worker	Via MAP Foundation	Pier worker - F
Myanmar			
35.	Yazar Win	National Programme Coordinator, S2SR	ILO
36.	Htoo Chit	Executive Director	Foundation for Education Development (FED)
37.	Ko Moe Wai	Programme Manager	Foundation for Education Development (FED)
38.	Hnin Yu	Founder	Sex Workers in Myanmar (SWIM)
39.	Thet Thet Aung	Founder	Future Light Center
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41.	Ko Thant Zin Phyo	Programme Officer	Network Activities Group
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43.	Anonymous	Via FED	Returned migrant - F
44.	Anonymous	Via FED	Returned migrant - F
45.	Anonymous	Via FED	Returned migrant - F
46.	Anonymous	Via FED	Returned migrant - M
Viet Nam			
47.	Nguyen Thi Mai Thuy	National Programme Coordinator, S2SR	ILO
48.	Vi Phuong - Deputy DG	Deputy Director General, Policies and Legal Affairs department	Viet Nam Women's Union
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55.	Rendra Setiawan	Director	Ministry of Manpower
56.	Sulistri Afrileston	Secretary-General	Kamiparho
57.	Genta Sumarlan	-	Indonesian Fisheries Union
Phillippines			
58.	Hussein Macarambon	National Programme Coordinator, S2SR	ILO
59.	Ellene Sana	-	Centre for Migration Advocacy
Lao People's Democratic Republic			
60.	Anonglack Phaniphong	Senior Programme Assistant, S2SR	ILO
61.	Vongtavanh SAYAVONG	National Project Coordinator, TRIANGLE in ASEAN	ILO
62.	Viengprasith Thiphasouda	National Project Coordinator, Safe and Fair	ILO
63.	Vanhvisa Vongsouthi	Programme Coordinator	Gender Development Association
64.	Bounsuan Xayasine	Director of Employment Promotion Division	Ministry of Labour and Social Welfare
65.	Ninpaseuth Xayaphonesy	Director General, Dept of Gender and Development	Lao Women's Union

► Annex 2. Concepts and terminology

Agency: The capacity of individuals to act independently and to make their own free choices.

Direct discrimination refers to unequal treatment. **Indirect discrimination** refers to rules and practices that appear neutral but in practice disadvantage people with certain characteristics.¹

Discrimination: Any distinction, exclusion, restriction or preference, based on proscribed grounds, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.²

Femininities: Patterns of conduct linked to women's place in a given set of gender roles and relations. These patterns vary over time and place. Unequal power relations and essentializing of feminine qualities can lead to violation of the rights of women and girls.³

Feminism: The belief that persons are equal, irrespective of gender, and advocacy to reach that equality in all social, economic and political spheres of life.

Gender: Socially constructed differences between women and men, and the social roles and relationships between them. These can change over time and are not biologically determined.

Gender values and norms are ideas that people have on how women and men should act.

Gender-based violence: Any harmful act that is perpetrated against a person's will, and that is based on socially ascribed (gender) differences between males and females.⁴

Gender blind: This perspective considers that there are no differences among different genders. It ignores gender biases that exist in society. Women and LGBTQI+ persons experience discrimination and are typically disadvantaged, as they are not able to compete on equal footing with men, given subordinate gender roles, multiple responsibilities and lack of access to resources. Gender blindness typically reinforces power held by men.

Gender budgeting: Allocating expenditures to promote gender equality and women's empowerment.

Gender equality: Enjoyment of equal rights, opportunities and treatment of all people, with recognition that people of different genders have different needs, priorities and experiences of injustice.

Gender equality mainstreaming: Systematically and explicitly integrating gender equality action and analysis into all policies, programmes, projects, institutional mechanisms and budgets. Gender mainstreaming is defined in the United Nations Economic and Social Council agreed conclusions 1997/2 as "the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality."

Gender equity: The state in which imbalances in treatment and access to rights or opportunities are addressed so that outcomes are unaffected by gender. Processes to achieve gender equity may involve affirmative actions or quotas.

1 ILO, *Gender Mainstreaming Strategies in Decent Work Promotion: Programming Tools*, 2010, 12.

2 Human Rights Committee, General Comment No. 18: Non-discrimination, para. 7.

3 Adapted from ILO, *A Manual for Gender Audit Facilitators*, 2012, 118.

4 Inter-Agency Standing Committee on Gender-based Violence, *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing Risk, Promoting Resilience and Aiding Recovery*, 2015, 5.

Gender responsive: The consistent and systemic attention given to the gendered differences among individuals in society with a view to addressing status quo and structural constraints to gender equality.

Gender-sensitive: Being sensitized to, or mindful of, the scope for difference in the interests, opinions, roles and circumstances of individuals with different gender identities, and then acting to ensure that varied needs are met, rights protections are in place, and discriminations tackled.

Intersectional analysis looks at how multiple areas of exclusion compound injustices and social inequalities.

Intersectionality: Typically, the intersections of gender with other areas of exclusion, such as ethnicity, age, marriage status, disability, nationality, documentation/legal status, class, religion, and other groupings.

Lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI) persons: This term is intended to be inclusive of gender and sexual minorities, regardless of whether they identify as lesbian, gay, bisexual, transgender, queer, intersex or another culturally specific indigenous sexual orientation or gender identity.⁵

Masculinities: Patterns of conduct linked to men's place in a given set of gender roles and relations. These patterns vary over time and place. Unequal power relations and essentializing of masculine qualities can lead to violation of the rights of men and boys.⁶ A restricted understanding of masculine qualities can apply pressure for men to wield power or act oppressively in order to be recognized as "real men".

Maternity protection: Protections ensuring equality of opportunity for women and enabling women to combine productive and reproductive roles. Protections in the ILO Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000, include: maternity leave, cash and medical benefits, health protection, employment protection, non-discrimination in employment, and rights to breastfeed.

Migrant worker: A person who is to be or has been engaged in a remunerated activity in a State of which he or she is not a national.⁷ For the purposes of this strategy, a migrant worker refers only to international migrants, not internal or rural-to-urban migrants.

Protectionism: This perspective perceives women as inherently in need of protection, particularly protection from violence and exploitation. Related to migration, governments apply it as a moral response, barring women from certain work and from migration to certain places, or barring women under or over a certain age from migration at all. It perpetuates discrimination, rather than ensuring access to safe migration and decent work for all. It also results in women migrating and working irregularly because they do not have access to legally regulated migration and work.

Sex: The biological distinction between males and females (versus, socially constructed roles, or gender).

Transformative approach: A resolve to work at changing deep rooted inequalities, going beyond surface level changes for gender equality.

Twin track approach: This Strategy takes a dual approach of promoting gender equality and women's empowerment. This takes the form of gender equality mainstreaming on the one hand, coupled with a specific focus on increasing the financial and technical resources that are allocated to work with women as primary beneficiaries.

Undervalued work (versus, "unskilled work"): Women's work is consistently undervalued, and the terms "unskilled" and "low-skilled" perpetuate this attitude. Where possible, the use of the term "undervalued work" is preferable.

⁵ Definition drawn from UNDP, *Leave No One Behind: Advancing Social, Economic, Cultural and Political Inclusion of LGBTI People in Asia and the Pacific – Summary*, 2015.

⁶ ILO, *A Manual for Gender Audit Facilitators*, 2012, 118.

⁷ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990, Article 2(1).

Women's empowerment: Women's empowerment is increased women's participation, power and decision-making in all aspects of their lives. It is advanced by systems that create the necessary conditions for women to do so. Women's empowerment is a necessary element in achieving gender equality. Women's empowerment is usually interpreted as something that must be *given* to women. This Strategy, however, aims to transform power structures and the necessary conditions for women to be the active agents in the empowerment process and to claim the power they inherently have.

Ship to Shore Rights South East Asia: Gender equality and women's empowerment strategy

Labour migration patterns into the fishing and seafood processing sectors in South-East Asia are highly gendered and include specific decent work deficits faced by women and men. Migrant women comprise the majority of workers in seafood processing largely because employers believe they are better suited for this type of work. However, the application of gendered stereotypes holds negative consequences for the working conditions of women migrants within the industry, including a lack of formalization, unequal pay, violence and harassment, and gaps in maternity protection.

Onshore and offshore fishing vessels are almost entirely crewed by men, a large portion of whom are migrant workers due to the reluctance of nationals to take up fishing work in the more developed countries of South-East Asia. Work in commercial fishing has traditionally been viewed within the region as unsuitable for women, as it involves physically demanding duties, long and unpredictable work hours, hazardous work environments and difficult living conditions. The all-male workforce contributes to the high incidence of workplace injuries within the fishing sector, as social norms requiring men to take greater physical risks at work exacerbate the inherent danger of work on a fishing vessel.

The Gender Equality and Women's Empowerment Strategy lays out a clear and concrete approach for the Ship to Shore Rights South East Asia programme and its partners to respond to these sectoral challenges in working conditions. It provides a robust gender analysis of the fishing and seafood processing sectors, highlighting how the issues of labour migration, informality and gender intersect to entrench inequalities and exacerbate decent work deficits. The strategy calls for an ambitious and transformative approach, integrating gender mainstreaming across all types of programme activity, while simultaneously implementing specific activities focused on empowerment of women and LGBTQI+ persons.

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